GENERAL SIR MARK CUBBON, K.C.B.

Born at Kirk Maughold Vicarage, Isle of Man, 1775

The

ADMINISTRATION OF MYSORE UNDER SIR MARK CUBBON

(1834–1861)

by

K. N. VENKATASUBBA SASTRI

M.A.(Madras)

Sir William Meyer Student in the History and Geography of India in the University College, London, 1929–31

Assistant Professor of Indian History in the University of Mysore

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DEDICATED

TO MY DEAR SISTER

JAYALAKSHMI

PREFACE

My objects in preparing this book are: (1) to continue Wilks's history of Mysore with a view to trace the growth of a model Indian state; (2) to illustrate the Munro type of Indian administration; and (3) to describe the contribution of a Manxman for the welfare of Indians.

I have viewed matters from Cubbon's own standpoint and tried to appraise him by the standard of his time.

The materials for study, though scattered in India, England, and the Isle of Man, have been plentiful, as shown in the bibliography.

To my beloved Professor H. H. Dodwell, M.A. (Oxon), of the London University, to Rajamantrapravina Mr. K. Matthan, B.A., first member of the Mysore Executive Council, to Mr. K. G. Pashupathy Ayyar, Bangalore, to the Rev. Mark Wilks Harrison, M.A. (Oxon), of Ramsey, in the Isle of Man, and to Mr. William Cubbon, the Superintendent of the Manx Museum, I inscribe these pages as a slender but sincere token of my esteem and gratitude for services, which can be acknowledged, but can never be paid. I thank Mr. W. T. Ottewille, Superintendent of the India Office Records, and his staff, as well as Dr. Randall, of the India Office Library, and his assistants, for their ungrudging services for two years, while I pursued my studies on the research thesis which now constitutes my book. I am equally thankful to my brother-in-law, Mr. A. V. Ramanathan, B.A., and to Mr. N. Narasimha Murthi, M.A., B.L., Librarian of the Mysore University, for reading the MS. and making very valuable suggestions.

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K. N. V. S.

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General Sir Mark Cubbon, K.C.B., *born at Kirk Manghold Vicarage, Isle of Man, 1775* — *Frontispiece*

The Mysore Cottages, Ramsey, Isle of Man, *erected by Miss Elizabeth Cubbon, 1864, in memory of Sir Mark Cubbon* — *facing p.* 241

Statue in Cubbon Park, Bangalore, of Sir Mark Cubbon, K.C.B.; Governor of Mysore, 1834–1864 — *facing p.* 312

INTRODUCTION

(FROM THE GENERAL MEMORANDUM ON MYSORE BY CUBBON, 1855)

N.B.—The author takes no responsibility for Cubbon's statements.

Mysore, a large province in Southern India, is situated between 11° 45′ and 14° 55′ north latitude, and 74° 55′ and 78° 45′ east longitude. Its extreme breadth from east to west is 230 miles, and its extreme length from north to south is 190 miles. Its superficial area was calculated by Colonel Mackenzie at 27,000 square miles. It is completely surrounded by the Collectorates of the Madras and Bombay Presidencies. On the eastern frontier the nearest part is about 120 miles from the sea; but on the western, owing to a deflection in the line of Ghauts, the ruined fort of Govardanghiri Droog is not more than 10 miles distant from the obscure port of Byloor.

Such are the boundaries of the kingdom of Mysore as fixed by the conquerors of Tippoo Sultan; but the Mysore of history had very different limits. Under the old Rajahs they were for ever fluctuating according as the vigour or incapacity of the reigning prince depressed him into the position of a tributary Poligar, or elevated him to that of an independent power; but at no time do their dominions, though stretching considerably farther to the south, appear to have included anything like so great an area as the province which the British Government bestowed on their descendant. Under Hyder Ali, on the other hand, the limits were widely extended in every direction. In addition to the country now called Mysore, his authority extended over the present English Collectorates of Bellary, Cuddapah, Salem, Coimbatore, Northern Malabar, the whole of both the Canaras, and part of the Southern Mahratta country. Of many of the provinces thus bequeathed by the father, the son was deprived by the treaty which was forced upon

him by Lord Cornwallis and the Mahrattas in 1792; and the event of May 4, 1799, placed the whole of the remainder at the absolute disposal of Lord Wellesley and his allies.

After assigning to each of the parties the districts which were most contiguous and convenient, it was determined, for reasons which had great weight with the statesmen of those days, to reconstruct the ancient kingdom of Mysore, and for this purpose the present Rajah, then a boy of five years of age, was taken from his prison and seated on the throne. The revenue of this new state was roughly estimated at fourteen lakhs of Canteroy pagodas, of which seven lakhs of Star pagodas, equal to twenty-four and a half lakhs of rupees, were, and are, payable to the British for the maintenance of a subsidiary force for its defence and security. Poorniah, a brahmin, who had formerly been Finance Minister to Tippoo, was now made Dewan and Regent. Colonel Barry Close was Resident, and Colonel Arthur Wellesley commanded the division. Under the combined influence of three such men no state could help flourishing, and accordingly we find that Mysore did so in a very eminent degree. Poorniah's thorough knowledge of the resources of the country enabled him to add materially to the revenue, which was further swelled to a fictitious amount by sale of the enormous stores of sandalwood, which had accumulated during the many years, that the spite or the bigotry of Tippoo had prohibited its exportation from his dominions. So successful indeed, as far as finance was concerned, was the administration of Poorniah that, although the Mysore state had kept a considerable body of troops in the field during the Mahratta war, not only had the annual subsidy been regularly paid, but when, in 1812, he was suddenly required to surrender his power to the Rajah, a sum of upwards of two crores of rupees, more than two million sterling, was found in the treasury of the state.

Maharaj Krishna Raj Wadayar, when he tock the power into his own hands, was a young man of seventeen. His

natural talents were good, and his disposition was thought to be the same. He could not but hold in lively recollection the obscurity from which he had been raised, and his boyhood had been passed under the eye of the ablest native statesman of the age, and watched over by such a succession of eminent men as Close, Webbe, Wilks, and Malcolm. His treasury was full to overflowing; and what was regarded as a perfect, though latterly oppressive, system of fiscal administration was ready made to his hand. The brightest hopes, therefore, were felt regarding the future career of himself and his people, and it may safely be said that no native prince with whom we have had connection has entered upon his reign under such happy auspices. It was, too, soon found that all these anticipations would be disappointed. Not more than a twelvemonth had passed before the Honourable Mr. Cole, who had succeeded Sir John Malcolm as Resident, penned the first of a series of representations to the Madras Government of the downward course which the Rajah was pursuing; and, as early as 1817, Sir Thomas Munro, in writing to the Marquis of Hastings on the affairs of India generally, mentions that the Rajah of Mysore "is indolent and prodigal, and has already, besides the current revenue, dissipated about sixty lakhs of pagodas of the treasure laid up by the late Dewan. . . ."

From this time the downward course was steadily pursued. The representations of the Resident and of the Madras Government were either utterly disregarded or treated with simulated attention, while every artifice of falsehood and misrepresentation was resorted to to blind them to the true state of affairs. The vast treasure which the dubious policy of Poorniah had wrung from the people was speedily squandered, and not on the country whose resources had been exhausted to supply it, but on the foul creatures whom such a prince soon gathers round him and on the foreign usurers and dealers in shawls and jewels who flocked to Mysore as to an assured prey. In the meantime the govern-

ment had become throughout venal and corrupt: no efficient control was exercised over the district officers; the highest offices were put up to sale; valuable lands were alienated to propitiate brahmins; new taxes and monopolies were invented to be bestowed like pensions on pimps and parasites; the people, vexed and fretted by the swarm of petty rulers and monopolists, could obtain no redress; there was no security for property, and nothing that was fit to be called the administration of justice. At length, in 1831, the whole machine of government had become so completely disorganized that a rebellion broke out which the troops of the Rajah were unable to quell, although he had armed his officers with the power of summarily inflicting death or mutilation where they might see fit. It was found necessary to summon British regiments, and as the subsidy was unpaid and all the establishments deeply in arrears, the interference of the Company was called for to protect their own interests, as well as the interests of the people whom they had placed under this incapable and mischievous government. The far-seeing spirit of Lord Wellesley had rendered this task of interference an easy one for his successor, who found the course to be pursued in the crisis of 1831 expressly laid down in the treaty of 1799; and, accordingly, when the time had come, Lord William Bentinck addressed a letter [of suspension] to the Rajah . . .; and at the same time two British commissioners were nominated to take the reins of government from his hands.

. . . .

This letter was delivered by the Resident when the Rajah was celebrating one of the great Hindu festivals. He surrendered his authority without a struggle or a murmur, and the commission at once entered upon the charge of all the departments of the government.

At this period the Mysore Residency was in immediate subordination to the government of Madras; and when the governor-general had taken the great step of directing the

assumption of the country by a board of two commissioners, one of whom in the first instance was chosen by himself, he left the nomination of the other and the details of the administration to the governor of Fort St. George; providing, however, that the "agency under these should be exclusively native; indeed, that the existing native institutions should be carefully maintained." The duties of the commissioners were stated to be such as were discharged by the Board of Revenue and Court of Sudder Adawlut at the Presidency, and the Resident was to continue in charge of the political relations of the Rajah and his family with the British Government. The Rajah himself was to remain for the present in Mysore, but his continued residence in the country was to "depend on future circumstances which his own conduct could alone determine."

It was soon found when the new machine was set in motion that the views and proceedings of the Madras government were incompatible with the objects of the governor-general; that a purely native agency that was moderately trustworthy could not be got together in such a hot-bed of intrigue and corruption as Mysore had long become; and that two European commissioners, though honourable and enlightened gentlemen, were not always unanimous, even in cases where instant decision was necessary. In the course of a short time, therefore, it was deemed advisable to place the whole country and its relations in immediate subordination to the supreme government; to substitute four European superintendents for the native Fouzdars of divisions; and, breaking up the board, to vest the entire authority in one sole commissioner, with whom it has ever since remained. . . .

[The first to occupy this office was William Morison, who within two months of his appointment was made a member of the Supreme Council of India. The choice of Bentinck for the vacancy fell on Cubbon, who reported himself for duty on June 3, 1834.]

THE ADMINISTRATION OF MYSORE UNDER SIR MARK CUBBON (1834–1861)

CHAPTER I

PROBLEMS

(*For explanation of abbreviations, see Bibliography, p. 239.*)

"Our departure from the spirit and intentions of the original treaty, and not wholly the personal defects of the Rajah himself, are responsible for the vices prevailing in Mysore as in other native governments," said the governor of Madras in his minute on September 27, 1831.[1] The stipulations had provided for preserving the resources of Mysore as well as for securing the tranquillity of the country under the joint responsibility of the maharaja and the company. But later modifications had reduced the active share of the company and thrown the whole burden on the prince. The insurrection of 1830 showed, however, that there was so radical a defect in the new system, that the company ought not to rest on it or lend its name or power to support it. By the treaty, the company was bound to protect the inhabitants against misrule. Bentinck admitted this, saying that "it is clear that the Territory of Mysore was made over to the Rajah in trust to be managed as a dependency of the British Empire in India and under the responsibility of the British nation to the people of the tract so assigned that it should be well managed."[2] It is this protective right that was exercised by him in the assumption of government. The aim was to introduce reforms and to build up a responsible government within the terms of the treaty. "The only

[1] *Mad. Secret Cons.*, September 27, 1931, No. 6, para. 6.

[2] *Idem*, October 4, 1831, No. 3, para. 6.

object [of the British Commission] is to promote the welfare and prosperity of the state of Mysore—to establish a better system of government therein and to put an effectual stop to the anarchy and disturbances that have latterly pervaded it,"[1] "to redress the wrongs of more than a quarter of a century and to impart confidence and happiness to a whole people,"[2] and "to vindicate its own character for justice."[3] In the letter dated April 14, 1834, Bentinck said that reforms in the administration, improvements in fiscal management, and the re-establishment of commercial prosperity were the principal aims of the administration.[4] All these constituted a return to the system contemplated by Wellesley. The organization of the machinery of government confirmed this belief. "In the execution of a measure of this description, His Lordship would do as little violence as possible to existing establishments and institutions, and merely appoint a Commission of experienced officers, to assume the Rajah's place in the administration, making it an introduction to them to conduct the affairs with the same, at least, the same description of officers as they might find in employment and reforming the abuses of the system gradually, as experience in the course of business might suggest."[5] "During the suspension of Rajah's rule it [i.e. the British Commission] should exercise all the functions and perform all the duties of a Regency."[6] The commission was to study the system outlined by Wilks in his report of 1804 and to follow the lines of the dewan Purnayya. "It was His Lordship's design that the Commission holding the authority and responsibility of that Regent minister should act with instruments and according to rules and

[1] *Mad. Pol. Cons.*, February 10, 1832, No. 4.

[2] *Idem*, June 19, 1832, No. 2. Bentinck's private letter to G. D. Drury, Junior Commissioner.

[3] *Mad. Secret Cons.*, October 4, 1831, No. 4. The last but three paras. in the letter to the maharaja.

[4] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 74.

[5] *Mad. Secret Cons.*, October 4, 1831, No. 3, para. 13.

[6] *Mad. Pol. Cons.*, April 27, 1832, No. 4, para. 6.

principles such as were made use of by him and were directed with such eminent and conspicuous success to the efficient government and improvement of the country."[1] But the difference between the regency of Purnayya and that of the commission was also pointed out. Purnayya had been in charge of a country just conquered and better known to him than to the British, while Mysore now had been assumed in trust on behalf of the maharaja, who was its lawful sovereign, and the British officers were now to be paramount instead of the dewan. "The Mysore Territory should still continue as one entire State, under one form of Government, and that Government should be conducted exclusively by the British Officers who have been appointed for the purpose."[2] It was on this basis that supreme and unrestricted powers were given to Cubbon, and the maharaja was informed that the entire responsibility for the administration was to rest with the commissioner alone.[3]

The first task of Cubbon was the restoration of peace, law, and order. His predecessors in office had done much to enquire into the causes of the general revolt and to fill the country with hopes of a better government. But they had allowed nearly three years to elapse without laying the foundation of peace. This was distressing in the extreme to Cubbon.

On the one side there was a government fit for nothing. Its police and army were extremely inefficient. The police was certainly unreliable. Its organization and strength were unknown, and it was long before Cubbon could get a satisfactory account of it. The army was demoralized both by inefficient commandants and by worthless regulations. Mutinies had been common in the early days of the commission. Briggs had noted four mutinies within two months, and observed that "the wonder to me is not that our administration has been assailed by factions got up under

[1] *Mad. Pol. Cons.*, April 27, 1832, No. 4, para. 14.
[2] *Idem*, February 10, 1832, No. 4.
[3] *Ibid.*

the garb of religious feelings, but that these factions have not been more general and more violent."[1] The men had been poorly dressed and disciplined and variously equipped; their attachment to the government was slight. Even the sowars or the irregular horse presented a poor appearance. Bentinck remarked after an inspection that "the men are inferior and discontented, the horses are for the most part both in size and quality unfit for the service, and the arms and general equipments are equally objectionable."[2] A thorough reform was needed to put them on a satisfactory basis.

On the other side were the people who had been eager for settlement, but had not fully and heartily co-operated with the government. There was no public opinion of value. The governor of Madras believed that "Bangalore is rather famous for originating reports and scandals."[3] Cubbon discovered by experience that Mysore town was not far behind Bangalore in this respect. The insurrection committee had reported that there was ill-feeling between the brahmans and other communities arising from the monopoly of government posts. In fact, misunderstandings had arisen in the days of Purnayya from his partiality for the members of the brahman community rather than from a mere monopoly. Discord originating from this cause had kept some of the communities permanently apart and occasioned open friction. The Mussalmans had been the most discontented of all. Many of the servants of Tippu Sultan had left Mysore for good after his death; but those who remained had refused to serve the Hindu dynasty. The maharaja had sympathized with them and granted them pensions. But in October 1831, Lushington, the junior commissioner, had cancelled those grants and left them in misery. This had had a dangerous effect. The Mussalmans had come to think that the commission was unfriendly to them, and that

[1] *Mad. Pol. Cons.*, September 7, 1832, No. 1. The diary of the commission for June 1, 1832, Serial No. 1.
[2] *Ind. Pol. Cons.*, January 7, 1835, No. 4, para. 3.
[3] *Memoir of General John Briggs*, by Major Evans Bell, p. 182.

therefore they should not support it.[1] The attitude of Briggs towards them had been unfavourable, and Morison had been too much occupied with his work on the disturbances committee promptly to settle the pension question. When Cubbon came into office, this question had become extremely urgent. The poligars too required the attention of the government. They had been pacified, but neither satisfied nor reconciled. The poligar of Tarikere was still in arms against the state. Nagar was still overawed by him in spite of the infantry posted at important places.

The law courts had been unsatisfactory. Briggs's organization was defective in many parts. "The basis of it was that he conferred judicial powers on the Potails of the Villages. This . . . was calculated to be mischievous though . . . it has been really inoperative. It was certainly open to abuse as the Potails were almost always the renters of their Villages."[2] Criminal justice had been left unchanged, and so remained unpopular and alarming.

The state still owed considerable dues to the bankers, to the troops, and to the public servants. At the moment of the assumption, the Resident had been ordered to notify that "the British Government will guarantee to the Rajah's troops the payment of all arrears to which they may be justly entitled, and to those who have claims upon the Mysore Government an investigation of them with a view to the settlement of such as may be found just and reasonable."[3] The Madras governor approved this, thinking that "to the irregularity of the Sircar in this respect [payment of salaries] is mainly to be attributed the practice on the part of the Troops of living at free quarters on the ryots and thus increasing the distress occasioned by the rapacity and oppression of the Revenue servants."[4] If this promise had

[1] *Sketches of the Relations between the British Government in India and the Native States*, by J. Sutherland, 1837, p. 4.
[2] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 19.
[3] *Mad. Secret Cons.*, No. 9, para. 4.
[4] *Mad. Pol. Cons.*, November 8, 1831, No. 1.

not been given, the commission would certainly have been faced with a most serious revolt in the whole country, accompanied by a complete collapse of commercial credit. The commissioners had early begun to fulfil these pledges. But the mode of keeping accounts was so complicated that it was left to Cubbon to clear up the matter and bring it to a settlement.

Bentinck had summarized the principal aspects of maladministration in his letter of September 6, 1831, to the maharaja. "The collection of the revenues failed through the choice of improper and incapable officers for the charge of the districts; alienations have been made of the villages and public lands to a great extent, not in reward for public services, but to favourites and companions of your Highness, so that the resources of the state have been generally diminished—as a means of raising funds for temporary purposes, to the neglect of future prospects and of the good of the country. State offices of all descriptions have been sold, and privileges of exclusive trade; whereby the ryots and subjects of the state are made over to the needy and greedy adventurers."[1] Illustrations are given in Appendix F.

Corruption was universal. Individuals who succeeded in securing appointments on such agreement were sure not only to recover their advance but also to accumulate much more. The Resident had said that bribery must be suppressed, and "from his numerous sources of Intelligence, no Bribe can be paid without its ultimately coming to his knowledge, and in no instance has His Highness' incapacity for Government been more strongly evidenced than by his conniving at such transactions."[2] Briggs wrote that "corruption is so large that the Commissioners have to go into all details."[3] Stokes, a superintendent of Nagar, reported that "there is scarcely a single Talook in which serious abuses have not

[1] *Mad. Secret Cons.*, October 4, 1831. The last but three paragraphs of the letter to the maharaja.

[2] *Idem*, September 27, 1831, No. 5, para. 13.

[3] *Mad. Pol. Cons.*, January 20, 1832, No. 5. The rejoinder of Briggs.

been practised, either in levying contributions for remissions in the Jamabandi, taking bribes in other matters or appropriating the public money from the Talook treasury, or from the collections before they have been brought to account . . . some of the accused amildars appear to be really efficient servants, and the malpractices of which they have been guilty are to be chargeable rather to the laxity of the system, under which they were committed, and the want of efficient check over their conduct, particularly in regard to the expenditure of the public funds, than to any peculiar dishonesty on their part."[1] Typical examples of the corruption in the taluks are given in Appendix G.

This general depravity was fostered by additional circumstances. The system of keeping accounts had not been uniform or intelligible. "At present the greatest irregularity exists in this respect; the accounts have sometimes been given into the Talook Cutcherry Ryotwar by the Shanbhogue; sometimes in the abstract for each village; and sometimes only for the Hobly. Even when rendered ryotwar, there is no comparison with the year preceding, and, when any complaint arises, the Shanbhogue is sent for its determination, while the precise account is left as so much waste paper."[2] Even at headquarters the system had been complicated and confused, and no statement could be relied upon for a long time.[3] Briggs had noted that there were heavy balances against the ryots, but that the accounts had never been settled.[4] Nobody would produce the village land revenue accounts of Purnayya's time, although they existed for almost all taluks.[5] The adoption of several languages for official purposes had constituted another fertile source of misrule. Kannada, Marathi, and Hindustani, sometimes even Persian, had been employed according to

[1] *Ind. Pol. Cons.*, May 11, 1835, No. 66, Serial No. 7, para. 2.
[2] *Idem*, June 29, 1835, No. 72, Serial No. 1.
[3] *Mad. Pol. Cons.*, October 25, 1831, No. 10.
[4] *Idem*, April 10, 1832, No. 3.
[5] *Mad. Secret Cons.*, September 27, 1831, No. 2, para. 14.

convenience, and the introduction of English by the commission seemed to bring a fresh danger to the welfare of the state. The difficulty of the language question came first to serious notice in March 1832, but the commissioners had been seeking a solution.[1] A third circumstance favouring corruption was the meagreness of remuneration to the public servants. When retrenchment was suggested to the maharaja in 1830, he effected, as a part of that measure, a reduction of two lakhs of rupees in the establishments which were placed on the lowest possible basis. The Resident informed the Madras government that, while under Purnayya 9.25 lakhs of rupees had been spent on them, under the maharaja this had been reduced to eight lakhs, and that "under a better form of government I believe that an increase of several of the cutcherries will be found essential."[2] Large establishments, small pay, overlapping work, irregular payments, narrow responsibility of the petty officials, had increased unemployment on the one side and the difficulties of existence on the other, stimulating an unhealthy interest in additional incomes.

Inams, or rent-free lands, in 1832 had become an iniquitous institution. The loss of the public resources on this account was stated as follows:—[3]

Description	1810–11	1831	Maharaja's Net Grant
1. Jodi	1,21,952	1,31,375	9,423
2. Sarvamanyam	15,319	59,556	44,237
3. A prince	—	48,855	48,855
4. Cash grants	47,495	1,13,380	65,885
Kantirayi Pagodas	1,84,766	3,53,166	1,68,400

These inams lay for the most part in the fertile villages of the Kaveri and the Hemavati and in the garden lands of Bangalore. As no register had been kept of them, much more

[1] *Mad. Pol. Cons.*, April 10, 1832, No. 5.
[2] *Mad. Secret Cons.*, September 27, 1831, No. 5, para. 2; also *Mad. Pol. Cons.*, February 15, 1831, No. 10, para. 8.
[3] *Mad. Pol. Cons.*, February 15, 1831, No. 8, para. 21. Jodi means quit-rent. Sarvamanyam means land granted as free living.

land had been occupied as inam than had been granted. The practical supremacy of the faujdars and the amildars within their districts had contributed to a still further extension of the number of inams, depriving the state of a larger revenue than appeared at first sight.

Agriculture suffered under these anarchical conditions. The cultivator was in theory free to raise the best crop and enjoy the reward of his sacrifices. But in fact his crop was the property of all but himself. Besides the government demand, the money-lender who had helped him to pay off the assessment of the past year and to buy seed and cattle took possession of much of the crop, and then renewed his advance on a fresh bond. The revenue officials snatched their shares from the harvest heap as well as whatever balance was due for takavi or agricultural loan. They compelled the ryot to sell the produce on the spot and pay the revenue in full or to find security at a high rate of interest. They rated the land low or high as they pleased; but the advantage of a low rate did not in any case remain with him.

The neglect of tanks and waterways, apart from the occasional scarcity of rainfall, actually discouraged cultivation. The Resident wrote, in July 1831, that "the resources are still unimpaired but neglected."[1] The superintendent of Ashtagram reported, in December 1834, that "one great cause of complaint as well as of loss to Government has been neglect of the sources of irrigation, which are in a state of great decay, that the Talook [of Yedatore] is intersected by four nullahs [channels], three of which are drawn from the waters of the Cauvery and one from the Lutchmana Thirtha. The first and most important of these is the Ramasamoodram nullah . . . [which was] . . . irrigating 449¾ candies of rice fields, yielding an annual revenue of Pagodas 3,700, of which 278¼ candies, yielding C.P.2058–7–9, are now only supplied. . . . The Tippoor nullah now irrigates 229 candies . . . the decrease in comparison with the former

[1] *Mad. Secret Cons.*, September 27, 1831, No. 2, para. 15.

produce has not been ascertained as it extends to Mysore as well as to the Yedatore Talooks. . . . The Hampapur nullah . . . formerly irrigated 165½ candies of land, yielding an annual revenue of C.P.1520, but now reduced to 98 candies of land, yielding an annual revenue of 924–8–5. . . . The Marchehully nullah . . . [formerly irrigated] 99½ candies of land, yielding an annual revenue of C.P.696, but at present 92 candies, yielding 615–5–0."[1] The superintendent of Nagar described the effects of mis-government on the prosperity of Sakrepatna taluk, which enjoys many natural advantages. "The soil, consisting of a rich black mould, is of the greatest fertility and the beautiful and spacious lake about three miles from the town, which is supplied by the streams of the Bababudan Hills, and is entirely secured for the purposes of the irrigation by a flood gate and dam at the only aperture among the hills which encircle its basin, forms a reservoir which never fails and at so high a level that its water can be distributed in any proportion and to any point desired. Notwithstanding all these advantages, however, the revenue of that rich tract has fallen from C.P.17.778–14–0, the beriz of the year Vibhava, to C.P.7.176–8–14¾, the Jamabandy of the year Vijaya. . . . The most permanent signal effect of the neglect of the public resources here or elsewhere is at once visible in the state of tanks and water-courses, for out of three tanks in the Cusba and Boma Samooder Hoblies, formerly supplied from the lake above mentioned, two are entirely useless, and the third, or Boma-Samooder Tank, instead of being about 10 feet deep, does not contain that number of inches of water. . . . The tanks in the other hoblies are fast approaching to the same state of uselessness."[2] Even the superintendent of Bangalore stated, in April 1835, in his report on the Sidlaghatta taluk, that "the tanks are not in such a state of ruin as those in the other Talooks he has reported upon. Still much

[1] *Ind. Pol. Cons.*, May 11, 1835, No. 58, Serial No. 2, para. 2.
[2] *Idem*, June 29, 1835, No. 61, Serial No. 9.

is required to be done to put them into anything like repair."[1]

While agriculture had been reduced to this plight, industry and trade had been hampered by the system of customs duties that prevailed. These were taxes on industry itself. The habit of renting the revenues had thrown the commercial enterprise of the country into bondage. The renters had monopolized the farms almost to the point of bringing business under their sole control. This is best illustrated by the case of the sur-sayer renters of Nagar.[2]

Cubbon was called upon to meet all these difficulties. His problems were:—

(1) Restoration of peace, law, and order.

(2) Introduction of reforms to define the action of government and ensure its stability, efficiency, and energy.

(3) Aiding the people to progress morally and materially and to take their legitimate share in the general prosperity of India.

In short, the fulfilment of Wellesley's expectations from the conclusion of the subsidiary treaty.

[1] *Ind. Pol. Cons.*, June 29, 1835, No. 91, Serial No. 6.

[2] See Appendix C.

CHAPTER II

SOLUTIONS

A. PEACE, LAW, AND ORDER

There were two ways of securing this object. One was by reorganizing the army, police, and judicial tribunals, and the other by securing the hearty co-operation of the people. This latter was inevitably a work of time, and Cubbon's success in securing a general confidence in himself and his administration will be seen in later chapters. But the former —the re-establishment of public security—demanded his first attention.

(i) The Army

By the subsidiary treaty of 1799, the defence and protection of Mysore had been the duty of the British Government. In March 1832 the court of directors admitted that "the aid of our troops could not indeed be withheld, since the Rajah was entitled to it by treaty in case of actual rebellion."[1] The commission had continued, having regard to this, to pay the subsidy every year at the stipulated rate, and the cantonment at Bangalore was maintained at the minimum number of forces ready for service. The following units were usually stationed there: One regiment each of European and Indian cavalry, one troop each of European and Indian horse artillery, one company of European foot artillery, one regiment of European infantry, and two to four regiments of Indian infantry.[2] In addition to these, there were detachments of Indian infantry at the French Rocks and Harihar.

[1] *Mad. Despatches*, No. 3 of 1832 (Political), March 6th, para. 7, p. 442.
[2] *Report on the Medical Topography and Statistics of the Mysore Division of the Madras Army*, 1844, p. 54. See also the *Madras Athenæum* of 1845–50 under Bangalore in the column of the provincial notes.

There was a commissariat depot and factory at Hunsur until about 1850[1] for the supply of leather goods and grain. The company had always rented grazing lands in the country for its ordnance cattle. The chief arsenal was situated, until almost the close of Cubbon's administration, in the fort of Bangalore, which still formed part of the cantonment.[2] Anyone who reads the *Madras Athenæum* of those days will see how good the Mysore stations were. The men had their full share of field exercises, amusements, sports, and Sunday prayers. Food, including English fruit, was plenty and cheap. There was a controlled supply of good liquor at moderate rates. The climate was good, and Bangalore, the French Rocks, and Harihar were all healthy places.

By the supplementary treaty of 1807, Mysore had agreed to maintain 4,000 silladar or irregular horse ready for service in any part of India. They formed six regiments each under a regimentdar under the general command of a bakshi. Every governor-general, as the trustee of the state, had taken pains to keep himself well informed about them. Bentinck and Dalhousie inspected them personally at Bangalore.

In 1834 their condition was thoroughly unsatisfactory, and the reform was most urgently wanted.[3] But it could not be done all at once. Each trooper contracted individually with government to furnish himself with horse and equipment on his being paid a fixed sum of rupees per month. This is an important point, because in any reform of the silladars Cubbon had to consider the disposition of the men. His aim was individual efficiency.

The factors that entered into this question were:—

1. Command and leadership.
2. Pay.

[1] The exact date cannot be given. In 1844 it existed, as was described in the report of the medical topography and statistics published in that year. The *Madras Athenæum* mentioned it at a later date.

[2] *Ind. Pol. and For. Cons.*, January 15, 1858, No. 67.

[3] See *supra*, p. 24, footnote No. 2.

3. Quality of the horse and equipment
4. Discipline.
5. Distribution.

The bakshi, Rama Row, who had commanded the force had been useless in every way. He was therefore dismissed,[1] but his substitute, Annappa, proved dishonest. Then Ashraf Ali Khan was associated with him as joint bakshi;[2] but they formed a league to plunder their subordinates.[3] In 1839 Cubbon, tired of these experiments, finally proposed "not so much to prevent the repetition of the species of imposition now brought to notice, as to guard against the possible occurrence of more serious evils, that the office of bukshi be for the present not filled up, and that all the details of that department be in future conducted by the military assistant, so that there shall be no secret counteraction, no intermediate authority, nor interruption of communication between the officers in command of the regiments and their European superior."[4] This scheme was considered "highly proper" by the court of directors and approved.[5]

According to this plan, the regimentdars were in command while the military assistant supervised their administrative duties. The governor-general declared clearly that the latter was not "the commander of the Mysore troops, and his duties are not equivalent to the command of the regiments of a line."[6] This was a satisfactory arrangement.

A silladar's pay was fixed at Rs. 20 per month—the rate in Bengal in 1845. His real income was enhanced by the abolition of the tahreer[7] (a deduction in his monthly pay), by supplying him with gram, ghee, and grain free of duty,[8] by

[1] *Ind. Pol. Cons.*, August 26, 1834, No. 28, para. 13.
[2] *Idem*, October 14, 1834, No. 23.
[3] *Idem*, March 6, 1839, No. 160.
[4] *Ibid.*
[5] *India and Bengal Despatches* (Pol. Miscs.), January 13 (No. 2.), 1841, para. 50.
[6] *Ind. Pol. and For. Cons.*, May 9, 1856, No. 127.
[7] *Ind. Pol. Cons.*, August 20, 1834, No. 28, para. 14.
[8] *Idem*, January 23, 1835, No. 86.

the abolition of private bargirs[1] (additional horses), and by payment in full of the pay due to him irrespective of the government's own claims against him for land revenue or other civil balances.[2] Nothing could be done to improve his chances of promotion, because it was "difficult to lay down any rules for the regulation of promotion in a service so constituted as the Sillahdars. The officers are almost invariably men of family, and in consequence it is absolutely necessary that they should not be men of low birth who would not be respected, even if raised to a high military rank."[3]

In June 1838 the silladar or sowar establishment was finally fixed; the inferior officers were less well paid than in other parts of India.

Cubbon himself was very fond of horses, and in 1841 he put forward a plan to improve the local breed and oust the Arab horses from the Deccan market so as to render "the government far less dependent than heretofore on foreign aid for the remount of the native cavalry,"[4] and he suggested to the supreme government the institution of government plates of Rs. 500 each at the races at Bangalore and Guindy.[5] But this was rejected both by the governor-general and the court of directors.[6] But though in regard to the breeding of horses for the silladars, the attitude of the government of India was opposed to Cubbon's, in 1842 it was compelled to adopt his views in part. "The privilege [is hereby] granted," the order ran, "of breeding from their best mares in such proportion as you may deem expedient, substituting for each mare withdrawn during the breeding season a mare of equal goodness or on such similar condition as your local experience will most readily suggest. His Lordship in Council, however,

[1] *Ind. Pol. Cons.*, August 20, 1834, No. 28, para. 16.
[2] *Idem*, March 30, 1835, No. 82, Serial No. 18.
[3] *Idem*, July 25, 1834, No. 62, fourth para. under Discipline.
[4] *Idem*, April 12, 1841, No. 58.
[5] *Ibid.*
[6] *Bengal Despatches* (India Military), March 1 (No. 4) of 1843, para. 5.

does not believe that this privilege can be accorded without its having the effect of, in some degree, weakening the efficiency of the corps."[1] The result of this concession was marvellous. It was reported in 1855 that the horses of the silladars were the exact reverse of what Bentinck had seen, and that a portion of the remount of the Madras Presidency was being furnished from them.[2]

The customary arms of the silladars were the spear and matchlocks, other arms having been discouraged. Carbines were issued to a third of them from 1841 on the recommendation of General Lovell and Cubbon.[3] Their uniform consisted of scarlet coats, grey trousers, red turbans, cotton belts, spurs, and black leather slippers. The wife of Bowring, the successor of Cubbon, noted in her letter home that they "look very well in a body with their gold and scarlet dress and turbans. The native saddles also are very handsome, whilst the horses, adorned with coloured ropes and tassels round their necks, add greatly to their effect. They certainly consider themselves fine fellows, and show off and kick up no end of a dust. I was nearly choked."[4] These uniforms were supplied by the government on a system of advances recoverable in instalments.

Their drill was nominal. Munro had protested against their being drilled like the regular cavalry.[5] The discipline for which the drill was intended was brought about by the work which they had to do, and by frequent inspections of European officers.

Their total strength was to have been maintained at 4,000, but was always below that number, ranging between 2,450 and 2,700. In 1837, when Canara was in rebellion, and in 1845 and some years subsequently, extra enlistments were

[1] *Ind. Pol. Cons.*, January 10, 1842, No. 48, para. 3.
[2] General Memorandum, printed in the *Selections from the Records of Government of India*, Vol. XI, 1856, p. 51.
[3] *Ind. Pol. Cons.*, January 10, 1842, No. 48, para. 2.
[4] *Eastern Experiences*, L. Bowring, p. 391.
[5] *Ind. Pol. Cons.*, July 26, 1841, No. 109.

made.[1] But these were not substantial or permanent. The government of India was extremely anxious that the total should be 4,000, but was disappointed. The whole corps was divided into seven regiments, and occupied in 1841 "seventy-nine different stations," giving roughly one detachment for every taluk.[2]

The barr or regular infantry was a humbler body than the silladars. The governor-general expected it to be abolished, but on the contrary it constantly increased in numbers. This was due to the nature of the duties which fell to its lot. The following is a rough description of its work provided:—

1. Sentries at jails, government offices, mint, barracks, forts, and pagodas.
2. Guards at stores, godowns, and magazines.
3. Attendance at cutwal choultry.
4. Escorts for treasure, military supplies, gurus (Hindu monks with status), officers on circuit, and bakshis and other officials of the headquarters.
5. Assistance to amildars.
6. Special taluk detachment duty, if any.
7. Duty at choultries in the town of Mysore.
8. Guards over convicts on the roads.

There was also a political reason for maintaining the barr. The maharaja had maintained it; and, without offending his sentiments, the body could not be abolished. Besides, any reduction would have added to the distress "which is generally felt by the most respectable of the military classes, particularly by the Mahomedan population, owing to the great reduction which has been made in the military establishment of Mysore within the last six years [1831–37]."[3]

The maintenance of public order depended mainly on the

[1] *Ind. Pol. and For. Cons.*, July 31, 1847, No. 222.
[2] *Ind. Pol. Cons.*, May 31, 1841, No. 66, para. 3.
[3] *Idem*, March 14, 1838, No. 213, para. 17.

barr and the sowar. "Local officers seemed to place little confidence [in the kandachar or the police] in posts of danger and responsibility."[1] A regiment of the barr was ever ready at Shikaripur in the Shimoga district. More than once Cubbon was impressed with the subordination, loyalty, and vigour of both the military arms.[2]

(ii) The Police

There had been no constabulary in Mysore before 1834. The functions of the police were exercised by the armed peons known as the kandachar, who discharged their duty with the co-operation of the village inhabitants and servants. But these peons frequently joined the infantry on military duty on important occasions, just as the infantry itself assisted the kandachar on police duty.

In the police hukumnama or code, issued in July 1834, this confusion was removed. The first clause declared that "the duties of the Candachar peons not being well-defined, it is necessary that they should be clearly understood to be police peons, exclusively belonging to that department."[3] This did not mean that the kandachar ought not to be employed on occasional military duty, or that the sepoys should not help the police in suppressing crime. It implied, on the contrary, that they were to be supplementary to each other, but not interchangeable. The records of the administration under Cubbon go to show that this distinction was carefully maintained to the advantage of both the bodies. Whenever the kandachar were transferred temporarily to the military department, their places in the police were filled up by temporary recruits. But they were bound to return to their permanent posts in the long run.

The qualifications for recruitment into this service were clearly specified. "The persons selected as fit . . . should be

[1] *Ind. Pol. Cons.*, March 14, 1838, No. 213, para. 20.
[2] *Ibid.*, para. 25; also *idem*, January 10, 1842, No. 43.
[3] *Idem*, July 25, 1834, No. 58, Appendix 2, para. 1.

robust, brave, and trustworthy, and to be taken from the military classes only. Should improper men be entertained, whether from bad character, habitual idleness, or bodily infirmities, the persons who entertained them will be held responsible and compelled to refund whatever pay may have been drawn for them."[1]

The peons had been divided into two classes—the armed and the unarmed (khalihath or empty-handed). This division was confirmed in the code and their duties were defined accordingly.

The armed peons were expected to do the following:—

1. To serve as occasional escort to treasure and prisoners and as a guard at the jails.
2. To answer the call for field service.
3. To kill tigers in return for a reward of Rs. 10 each for the full-grown, and of Rs. 5 for the cubs.
4. To accompany respectable travellers within the limits of their duty.

In addition to the above, there were some more which they had to carry out, not independently, but with the co-operation of the villages to which they had been assigned. These were:—

5. To prevent thefts, detect the culprits, and control the work of the totis and talaris in their police duties.
6. To watch all passes, roads and paths through the jungle with the assistance of the totis and talaris.
7. To watch forts and principal towns by night.
8. "To keep an eye over the sandal trees to prevent their being clandestinely cut down, to be present when the wood is cleaned and assorted, and to report the same to the amil."[2]

The unarmed peons, known as the khalihaths, were, when

[1] *Ind. Pol. Cons.*, July 26, 1834, No. 58, Appendix 2, para. 2.
[2] *Ibid.*, para. 43.

not employed as bearers, "to be employed in the repair of roads, tanks, and other Circar works, under orders from the Hoozoor."[1] They were not to be used on field service.

The distribution of the peons generally, and the arms which they were to carry, were prescribed in the following rule: "In every hobly of a talook there should be stationed two peons. . . . A proper number of peons should always be stationed in [the forts and principal stations]. . . . The peons that are stationed at the talook cutcherry, forts, and hoblies are to wear swords; and those placed at the frontier passes and jungles, should also have matchlocks. . . . The peons who are required to keep matchlocks will be provided with powder and ball according to mamool [custom], the same being mustered when the peons receive their pay."[2] This occasion was suitable because the office could then compare the descriptive rolls with the persons on actual duty and also inspect their dress and arms. Individual instructions could also be given to the men on matters of duty at the same time.

The regular police in each taluk were placed under the amildar, who had a killedar, a naib killedar or duffedar, and thanadars or hoblidars to assist him in his police duties. "The three officers last mentioned are to be considered as the inferior police officers of the district, under immediate orders of the amildar, who is hereby declared to be the head of the police in his own talook, and who will accordingly be held responsible that the police duties are duly performed by all the inferior officers of that department."[3]

At first, the superintendent of a division had no special power over the police except to prevent and punish irregularities, such as neglect of duty, absence without leave, etc. The commissioner reserved all other superintendence and control to himself with the assistance of a bakshi. This was clearly an unwise step. But the mistake was admitted in 1841.

[1] *Ind. Pol. Cons.*, July 25, 1834, No. 58, Appendix 2, para. 22.
[2] *Ibid.*, paras. 7 to 12. [3] *Ibid.*, para. 6.

In that year partially and in 1844 finally the office of the bakshi was abolished, and the superintendents were empowered to "entertain, promote, discharge, and punish" all servants of the kandachar department from the killedar downwards.[1]

The police duties of an amildar were:—

1. To protect the privileges of the peons.
2. To regulate the work of his subordinate officials.
3. To investigate complaints against the peons.
4. To pay every police official and peon regularly and account for the same to the commissioner.
5. To grant leave to the peons for not more than eight days.
6. To assign peons in rotation, at the rate of two peons for every thousand pagodas, to assist in the collection of land revenue, no peon working for more than three months at a time, and for no more than six months in a year, under the revenue department.
7. To communicate the superintendent's orders to the peons.
8. To encourage villagers in raising or repairing bound hedges.
9. To keep a list of discharged criminals, suspects, and such others, and to direct them to report themselves every evening at the police station of their village.
10. To take securities from the criminal communities like the Koramars, Lumbanis, Woddars, and others for good conduct, and also for the detection of crime "under pain of being made answerable if they fail in so doing."[2]
11. To pay the batta of prisoners.
12. To receive charge of stolen property.
13. To communicate with the amildars of the adjacent taluks on the movements of gangs, the track of the fugitive thieves, etc.

[1] *Collection of Circular Orders to Criminal Courts*, pp. 12–13.

[2] *Ind. Pol. Cons.*, July 25, 1834, No. 58, Appendix 2, para. 34.

14. To establish a strict, though secret and discreet, supervision over all arrack and toddy depots; and
15. To report on the condition of sandalwood trees.

For the execution of these duties he was provided with an establishment which consisted of a sheristadar or an accountant, and a gumasta or clerk. The killedar acted as the manager of this office as well as inspector of the taluk. He certified the accounts of the sheristadar before they were sent to the amildar. In the dark fortnight of every month he inspected each village and jungle capable of harbouring thieves, and stayed in his headquarters in the bright fortnight, "causing the best and most effectual arrangements to be made by his subordinate officers in the districts."[1] He also reported on the conduct of the peons.

The people were enjoined to co-operate with the amildar in maintaining nightly watches, detecting robbers, and suppressing gang and torch robbery. They were directed to keep the bound hedges in good condition and guard their gates well by night. The totis and talaris were to patrol the streets every night and note any new-comers.

It was further ordered that "no public functionary of any description is allowed to employ the candachar peons for domestic purposes or on their private affairs, and any violation of this rule will subject the offending individuals to fine and dismissal from Office."[2] Further, "any candachar peons applying for lands amounting to half their pay should have their wishes complied with; and those not possessing land should be paid half in money and half in grain, should there be grain in store; otherwise the whole in money."[3]

The measures which have been so far mentioned related only to preventing and detecting crimes and protecting the inhabitants. But the country contained professional gangs of robbers, thugs, and vagrants, who called for special

[1] *Ind. Pol. Cons.*, July 25, 1834, No. 58, Appendix 2, para. 34.
[2] *Ibid.*, para. 25. [3] *Ibid.*, para. 27.

measures. The kandachar peons could not be relied on to arrest or deal in any way with these classes of criminals. In some cases there was an actual understanding with such criminals. Anyhow, their character and instincts "when unchecked by authority or discipline" were not on the side of law and order.[1]

So the commissioner had to devise a practical means of dealing with these dangerous classes. The robber gangs he hunted down with bodies of sowars. He assured the government of India that this was not an unusual course; "it has ever been the practice under the Mysore Government to employ the Sillahdars pretty generally in support of good order, and in proportion to their distribution over the country with this view have the people been protected from the evil of dacoity. As it is their power by locomotion, which makes them so formidable to banditti, their place could not be supplied by an additional number of peons, who are incapable of pursuing with the same rapidity, or of contending successfully with the plundering tribes of Lumbanes and Coormurs by whom depredations are most frequently committed, who are stronger and bolder than the rest of the community, and generally well-armed."[2]

As a second measure, he increased the responsibility of the inhabitants for defending themselves against and suppressing gang robbers, though without diminishing the obligations of the officials. The people were "to assist each other and to defend their persons and property with fire arms and other weapons, from the assaults of gang and torch robbers . . . until the people will act in concert and with courage, it will be difficult to secure them against similar attacks and . . . they therefore owe it to themselves and to the Sirkar, to exercise with firmness and resolution the authority given to

[1] *Ind. Pol. Cons.*, March 14, 1838, No. 213, paras. 19–20. See also *The Insurrection Committee Report*, 1833, para. 147, and the *Report on Civil and Criminal Judicature in Mysore*, April 26, 1838, para. 158.

[2] *Idem*, July 26, 1841, No. 109, para. 11.

them."[1] He gave silver bangles to those individuals who had been reported to have distinguished themselves in defending their villages against the raids of gang robbers.[2] But both these measures produced little immediate effect. In 1837, therefore, the following circular was issued:—

"Gang and torch robberies have been of more frequent occurrence within the last three or four months than has been known in this Territory for many years, and it is a matter of the deepest concern to find that the several Proclamations, which have been issued on the subject, have so entirely failed in their object.

"2. As this great increase of crime and of outrage on property and even on persons, is so much to be attributed to the culpable lukewarmness of the District Officers, as it may be in part ascribed to the unmanly passiveness of the ryots themselves in shrinking from the use of those measures of self and mutual defence, and to the neglect of all precautions which have been so frequently authorized and enjoined upon them, it has become in consequence necessary to adopt steps of a different character towards both parties, and which it is hoped may operate as a remedy for an evil, which at once reflects discredit on the Government and inflicts so much suffering and injury on the people.

"3. From the date of the receipt of this letter, the Superintendent will consider it as a general rule, liable however to such exceptions as in his own discretion may be determined, that on the commission of a gang or torch robbery in any Talook of the Division, the Amildar and Killadar with the Village officers are to be warned, that unless the robbers are traced and apprehended within a given time, to be indicated by him, they will be fined to the extent of one-half of their monthly salary or other Government allowance, and that on the occurrence of a second robbery within the talook, and of the perpetrators of it not being apprehended,

[1] *Collection of Circular Orders to Criminal Courts*, p. 17.

[2] *Ind. Pol. Cons.*, June 1, 1835, No. 72; also *idem*, June 29, 1835, No. 65.

they will be fined a month's pay, and on the recurrence of a third, that the whole of the Police servants of that talook, from the Amildar to the Village talarie, will be dismissed from office.

"4. In the case of Killadars, he will place them, in the above case, under suspension, and their dismissal will be ordered, as a consequence, from the Hoozoor.

"5. In like manner, the inhabitants of the Villages or towns are to be cautioned, in the case of a gang or torch robbery, that, in the event of the robbers not having been boldly resisted for the first call for help, or subsequently traced and apprehended, the whole village will be liable to be summoned to the Division Hoozoor, and an assessment laid upon them to the amount of the loss sustained, and that this measure will be renewed on each occasion, unless it shall appear to the Superintendent's satisfaction that there are circumstances connected with the case which justify a remission of the assessment."[1]

In 1838 this circular was explained at some length. It was then said that it had not been intended for all cases of robbery, and that "the particular object in view in providing for the punishment of the public servants and others, and at the same time in leaving to the superintendents a discretionary power in enforcing them, was to impress on the public mind the knowledge that such a power existed, and that it would be used on proper occasions for the protection of the people, as of itself likely to obviate the necessity for its frequent exercise. The operation of these rules (though conformable to ancient custom) requires to be narrowly watched, both to prevent the concealment of offences and the punishment of the innocent."[2]

A third measure for checking gang robbery was the registry of "all Coormurs, male and female, and of every age, resident whether permanently or temporarily as compos-

[1] *Collection of Circular Orders to Criminal Courts*, pp. 19–20.
[2] *Ibid.*, pp. 21–22.

ing migratory camps,"[1] and of taking securities from the naiks or chiefs of the lumbanis and from the heads of koramars for co-operation with the government in the preservation of law and order.

There was little thuggee in Mysore, though several thugs quietly lived in Bangalore and Nagar.[2] Only two cases are on the records of government,[3] though even those were not considered by everyone as genuine thuggees. Dobbs alone thought that "the country was infested by Thugs."[4] The supreme government imagined, independently of Dobbs, that there was thuggee in Mysore, and that, therefore, the jurisdiction of Colonel Sleeman should extend to it. But Cubbon dissented from this view and arranged to deal with the thugs by ordinary means. He was permitted to do so for some time. But in 1836 Captain Elwall was appointed a thuggee magistrate in Mysore.[5] This arrangement, which continued until 1852, put an end to any thuggee that might have existed there, and at least cleared all thugs out of the country.[6]

The procedure for dealing with vagrants was copied from Madras. They were to be arrested and kept in custody until security was found for their good conduct and means of livelihood. The security was not to exceed either Rs. 200 in amount or twelve months in duration. In carrying out the instructions under this head, it was said that "great care should be taken not unnecessarily to restrain the liberty of the subject, nor to leave any room to the inferior Police

[1] *Collection of Circular Orders to Criminal Courts*, p. 30. See also the *Report on Civil and Criminal Judicature in Mysore*, April 26, 1838, paras. 125 and 126.

[2] *Ind. Pol. Cons.*, January 16, 1837, No. 33. See also *Reminiscences of Life in Mysore*, by R. S. Dobbs, p. 28.

[3] *Idem*, June 29, 1835, No. 77; *idem*, November 7, 1836; and *Ind. For. Cons.*, June—A (Judicial), 1864, No. 5.

[4] Dobbs, *op. cit.*, p. 26.

[5] *Ind. Pol. Cons.*, December 12, 1836, No. 62; *idem*, January 16, 1837, No. 33; *Ind. Pol. and For. Cons.*, February 6, 1852, No. 238; and *idem*, March 12, 1852, No. 39.

[6] *Idem*, September 25, 1837, Nos. 124–7. See also Dobbs, *Reminiscences*, *op. cit.*, p. 28.

authorities to commit oppression under the pretence of apprehending offenders. The Superintendent, or his assistant, should hear and decide every case in which any terms of imprisonment under this regulation may become necessary, and make a report thereof to the Commissioner."[1] When in 1856 people, indifferently called the iranis or kabulis or kandaharis, were passing through Mysore, the superintendent of Bangalore, instead of acting under the above noted rules, supplied them with provisions and sent them off to the Madras territory. Within a few days of their departure there was a report of an affray at Chingleput and of the arrest of wandering iranis. Cubbon pointed out to the government of India the moral of this incident, emphasizing that in regard to such vagrants no rules would help to keep them under control, but that tact should be the chief element in managing them.[2]

Two difficulties presented themselves in the police administration. They were the want of a good understanding between amildar and killedar in regard to their duties, and illiteracy of the peons below the rank of killedar.

The remedy for the first defect was extremely difficult. A circular in April 1835 reiterated the fact that "the Killedar has no authority independently of the Amildar and that any act of disobedience of the Amildar's orders, will subject the Killedar to immediate dismissal."[3] Many killedars were removed for persevering in their disputes with the amildars. Yet the evil persisted. In 1841 Cubbon abolished the office of the kandachar bakshi and transferred the powers of that official to the amildar in every taluk. This was effective enough.[4] In 1844, however, Cubbon transferred the powers belonging to his own office, of appointing, promoting, and removing killedars, to the superintendents.[5] Being in greater personal touch with both amildars and killedars, they were

[1] *Collection of Circular Orders to Criminal Courts*, p. 69.
[2] *Ind. Pol. and For. Cons.*, October 17, 1856, No. 184.
[3] *Collection of Circular Orders to Criminal Courts*, p. 12.
[4] *Ibid.* [5] *Ibid.*, p. 13.

better placed for regulating the district work than the commissioner, and thus an end was put to endless petty quarrels between the two responsible officials.

The second defect was far more serious and complicated. Police reports of crimes would come in without any description of the suspects, property, time, or place of the crime. Highway robbers could buy off the peons for petty sums. The general quality of the peons was very poor. In 1838 a revision of their pay was proposed, but it was never effected.

However, in spite of these defects, Cubbon, at the close of his administration, wrote that the superintendents considered that no reorganization was needed, and that "the present system with slight modifications here and there is perfectly well suited to the wants of the territory. In the justice of this opinion, I fully and entirely concur."[1]

(iii) Justice

The Appendix A gives an account of the courts and rules in 1861.

Bentinck did not establish any code of laws when he created the courts in 1834. He drew the attention of the commissioner to the system described in the Wilks report of 1804, and at the same time expanded those portions which had been, in his opinion, too briefly stated.[2] This was found by Cubbon quite adequate for his purpose. In the absence of lawyers, a code would have been a hindrance. The judges and magistrates had only to discover the facts of the case and then to award a proper penalty. Cubbon, protesting against the introduction of the Indian Penal and Procedure Codes in 1859, argued that "the knowledge of this portion is not at all necessary to private individuals. Such are, for instance, whether transportation shall be superseded by penal servitude in the country or what shall be the exact punish-

[1] *Ind. Pol. and For. Cons.*, June 17, 1859, No. 299.
[2] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 5.

ment of a particular crime. . . . The person who commits a crime knows that he is subject to some punishment and that is practically sufficient."[1] Whatever opinion might be held of this, Bowring, who was not friendly to Cubbon, remarked that the latter's system was "an innovation, probably only partially adapted to the native mind."[2] If proofs are wanted of the extreme care taken by Cubbon to make the administration really popular, there are two volumes of his circulars on the subject. Besides, the government of India and the Indian Law Commission contained men who were scanning every line of the judgments of the Mysore courts, and, if unsatisfactory, correcting them then and there. It should not be supposed that the judicial administration was an instrument placed in the hands of Cubbon to be used as he pleased. It was a theme of long and warm discussions between the commissioner and his superiors, who usually included eminent lawyers. The court of directors too were vigilant. Illustrations of these facts may be found in the voluminous report of Cubbon in 1838, and the equally bulky minute of the Indian Law Commission in answer to it.[3] The court's despatch in 1846[4] contains a lengthy discourse on the suppression of vexatious litigation; and, above all, the enormous correspondence on various aspects of the judicial administration relates to almost every detail of Cubbon's work. It is obvious that the government of India was thoroughly satisfied with Bentinck's plan of dispensing justice.

The most satisfactory test, perhaps, is the increasing number of suitors every year. Of course there was a good deal of vexatious litigation at first, no restraint being in force. In 1841, however, vexatious suitors became liable to a fine.[5] This was so successful that Cubbon would not easily

[1] *Ind. Pol. and For. Cons.*, November 11, 1859, No. 90.
[2] *Ind. For. Cons.* (Political), Part A, March 1868, No. 45, para. 18.
[3] *Board's Collections*, Vol. 1819, P.C. 2674, pp. 161–83.
[4] *India and Bengal Despatches* (India Political), January 28 (No. 7) of 1846.
[5] See Appendix A, paras. 53–61; also *India and Bengal Despatches* (India Political), May 27 (No. 22) of 1840, paras. 2–9.

submit to a change. In 1859 he showed that he still believed in it. "No institution fee is levied," he said, "and . . . the use of plain paper for pleadings, the execution of decrees by officials in government employ, and other advantages make the cost of a successful suit very trifling. The fee in Mysore falls on the unsuccessful suitor, and its object is to check false claims and to impose no check on *bona fide* claims, and this object may be thought to be in a great measure attained, as the original suits in which plaintiffs are successful are about 83 per cent. of the whole number instituted."[1]

The sole disadvantage of Bentinck's organization was the small number of the courts, considering the quantity of work that had to be done. The time and trouble that each court had to take in doing its work were immense, in spite of the fact that all revenue cases and the offences of the military servants had been transferred to their respective departments. So early as October 1838 arrears began seriously to accumulate. "On December 31, 1836, there were pending . . . 3,779 original suits, while on March 31, 1837, the number pending had increased to 4,177. Of appeals there were pending on the above dates respectively 221 and 254. This observation is not made with a view of imputing blame to the judicial tribunals [the governor-general said to the commissioner], but with a view to impressing upon you the importance of paying special attention to this branch of the administration and of ascertaining the causes and suggesting the remedies which may seem to you of any such increase of the civil business as the courts in the present state may be unable to cope with."[2] Cubbon attributed this to the lawyers who had been influential outside the courts. These men "have resorted to this territory from the Honorable Company's and, although discouraged from practising in the courts of Mysore, have nevertheless established them-

[1] *Ind. Pol. and For. Cons.*, November 11, 1859, No. 86.
[2] *Ind. Pol. Cons.*, October 9, 1837, No. 77, para. 2.

selves in their vicinity and exercised every sort of ingenuity for the multiplication of lawsuits. . . . The iniquitous combinations formed by these men for the plunder of the respectable and opulent almost exceed belief, and in proportion as their influence extends, the number of groundless lawsuits will continue to increase, unless some remedy be applied."[1] Later on, he added that "it will be seen that even in the quarter ending March 31st [1839] the causes decided in favour of the plaintiff amount to 767 only, while those decided in favour of defendant amount to 1,404."[2] The remedy was sought by rigorously fining the false suitors up to the limit of the rules. The court of directors then exclaimed that "under the present excellent administration all needless delay of justice is rapidly disappearing." At the same time they asked Cubbon whether the policy of repression was not too drastic, tending to scare away honest suitors.[3] Cubbon admitted the force of this argument and tried to be more liberal, but suits and arrears increased again. Repeatedly between 1850 and 1861 the court and the secretary of state complained against the growing files of unheard cases. Cubbon submitted that "the increase in the number and consequently the arrears of civil suits has attracted my most anxious attention. The arrears are principally among the suits for sums below twenty rupees, and arise, I think, from the numerical inefficiency of the judicial establishment attached to the amildar's courts. To test this I have recently ordered experimentally that an additional gomasta should be given to each talook in the Bangalore division, and should this prove successful, to extend the measure to the rest of the territory.

"The increase in the number of suits I can only impute to the fact of the poorer classes having become more alive to their own rights and more confident of the justice of their

[1] *Ind. Pol. Cons.*, March 6, 1839, No. 152.
[2] *Idem*, September 18, 1839, No. 203, para. 2.
[3] *India and Bengal Despatches* (India Political), January 28 (No. 7) of 1846.

masters; as well as to the vast increase of trade arising from the construction of a network of good roads and the removal of innumerable and vexatious restrictions on traffic."[1] The court replied that this was "highly satisfactory,"[2] and in 1856 were "of opinion that by temporary aid or other means, these arrears involving a serious delay of justice should be cleared off."[3] A judicial commissioner was appointed accordingly.[4] But the arrears still mounted up. In 1857 the government of India were alarmed at the condition of the files. But Cubbon thought that it could not be helped. "I regret to find," he wrote, "that the number of cases pending in the Courts is still considered to be very high. Mr. Devereux [the judicial commissioner] has spared no pains to expedite the despatch of business, and his efforts I have no doubt will ultimately be attended with a marked effect. There will still however remain many parts of the country in which I am afraid great delays must always exist. It was for instance brought to my notice only yesterday that the amildars of Sagar and Sorab had expressed themselves as despairing of being able to satisfy the Judicial Commissioner as to the state of their files. Their only difficulty, they said, consisted in the impossibility of collecting witnesses. These taluks are situated on the Western Ghauts, where for four months in the year the rains are so heavy and incessant that the inhabitants can hardly be brought to leave their houses, and being more frontier taluks the process of serving summonses on residents in the Madras and Bombay provinces is tedious and the summonses themselves not difficult of evasion by parties personally uninterested in the suits."[5] In 1858 the same complaint was made by the

[1] *Ind. Pol. and For. Cons.*, August 20, 1852, No. 100.
[2] *India and Bengal Despatches* (India Political), August 17 (No. 34) of 1853, para. 3.
[3] *Idem* (India Political), March 5 (No. 13) of 1856, para. 3.
[4] *Ind. Pol. and For. Cons.*, February 22, 1856, Nos. 120–124; *idem*, May 30, 1856, No. 136. See also *Report on Salaries and Wages*, by H. Ricketts, Appendices 606–608.
[5] *Idem*, March 5, 1858, No. 75.

secretary of state, and it was suggested to Cubbon that he might try to decide the smaller criminal cases orally. But as this conflicted with the panchayat's reliance on written statements, and as the amildars were opposed to it on the ground that their conduct would be perpetually questioned, the proposal fell through. "In order, however," Cubbon continued, "to abridge the present voluminous record as much as possible consistent with the ends of justice, I would respectfully submit that authority may be granted to give a trial to the practice . . . of insisting, before proceeding to take evidence that the plaints shall invariably state in distinct and intelligible terms the exact nature of the claim, and be accompanied by documents and a list of witnesses to support it; otherwise be rejected, and that the defendant's answer shall in like manner distinctly and fairly meet the claim, thus getting rid of the mass of irrelevant matter, which at present encumber the records under the form of reply and rejoinder; and clearing the way for the proceedings of the panchayet where one is convened."[1] This was sanctioned by the supreme government. The result was extremely favourable on the civil side; in the criminal branch the usual delay was considered still unavoidable. "I know from long experience," said Cubbon, "that in cases where suspicion is very strong, it is the custom of panchayets to prolong their proceedings till every possible source of evidence has been thoroughly explored; and although the finding is of course proportionately delayed, it has always been the custom to encourage rather than otherwise a practice which proceeds from an earnest desire to arrive at the truth in spite of the personal trouble involved in the attempt."[2] But the governor-general desired that "in addition to the instructions issued by you [the commissioner] . . . you will direct the magistrates and judicial authorities to bring heinous cases to trial, and the trial of them to a conclusion, as expeditiously as

[1] *Ind. Pol. and For. Cons.*, June 3, 1859, No. 218.
[2] *Idem*, November 1860, No. 350.

possible. You will inform them that persons accused even of heinous offences which are not bailable ought not before commitment to be kept in custody on mere suspicion or unless there be reasonable grounds for believing them to be guilty; and that after commitment, the trial should be held at once on the evidence submitted, and the accused either convicted and punished, or acquitted and released."[1]

It may be interesting at this stage to follow out the controversies that arose on some aspects of the criminal justice between the commissioner and the higher authorities at Calcutta and London.

(1) The court of directors wanted an explanation of the frequency of confessions in criminal trials.[2] Cubbon replied that Major Haines and Devereux, who had experience of judicial work in Mysore, held that the public would lose confidence in a government which was more merciful to the offenders than to the public, and that he could not therefore prohibit the practice.[3] There were other reasons besides for tolerating it. The police would have been helpless, and the feeling of insecurity general.[4] The analogy between England and India was misleading; if no confessions were taken, two-thirds of the robbers might be at large, the losers of property would not come forward, the stolen articles not be discovered, and professional gangs not be suppressed.[5] Cubbon thought that precautions should be taken only against torture. He had always been opposed to that evil, and every man in the country knew that government would punish offending officials severely. "Years ago," Cubbon wrote, "these punishments and the views of government were made so thoroughly well-known that false accusations of torture have not uncommonly been brought against public servants with a view to effect their ruin. . . . A well-known authority

[1] *Ind. Pol. and for Cons.*, June 3, 1859, No. 352.
[2] *India Bengal Despatches* (India Political), September 20 (No. 20) of 1837, para. 8.
[3] *Ind. Pol. and For. Cons.*, January 9, 1857, No. 70.
[4] *Ibid.*
[5] *Ibid.*, No. 68.

states that tribunals are instituted to render society generally secure, by rendering the perpetration of crime exceedingly dangerous to those who would commit it, and the more certain and rapid the punishment which the tribunals inflict on the wrong-doers, the more complete is the security of the community. This is peculiarly true as regards India, and nothing contributes so much to the promotion of this cause of security as the proverbial tendency of native criminals to rush into confession. . . . There is nothing to substitute for it except a more diligent search for circumstantial evidence, and I am free to admit that I should have much more mental satisfaction in passing a sentence grounded on the independent yet concurring confessions of a number of criminals than on the remembrance of a voice, the recognition of a face in the dark or the identification of a button."[1]

(2) The restoration of stolen property had always been part of a sentence for theft. If the prisoner did not return the article or articles he would be given extra imprisonment. In sanctioning this strange principle in 1839, the governor-general remarked that the commissioner might "persist in the practice till experience shall better enable you to judge of its effects."[2] The court of directors also agreed, observing that the "compensation to the individual sufferer, though not the principal object, is one of the legitimate objects of punishment."[3]

The principle was still defended in 1853. "It is now nearly fourteen years since the date of Mr. Maddock's letter, and the system (which has been acted on ever since in all cases where it appeared likely to be attended with good results) has been found to act well for both the ends of justice and the personal interests of the plundered parties. The end here in view is the same as is contemplated in Act XVI of 1850, the practice of the Mysore Courts going the one step

[1] *Ind. Pol. and For. Cons.*, January 9, 1857, No. 68.
[2] *Ind. Pol. Cons.*, November 27, 1839, No. 115.
[3] *India Bengal Despatches* (Pol. Miscs.), January 13 (No. 2) of 1841, para. 53.

further of fixing a penalty of imprisonment in the event of non-payment of the fine. But although in this respect it exceeds the penal infliction authorized by the act, it also provides as much as possible against exaggerated statements of losses made by the complainants with a view to obtain enhanced compensation in cases where the accused may be possessed of property.

"The complainant immediately after the occurrence of the robbery, and simultaneously with his complaint, is required to put in a detailed list of the sums of money and articles stolen from him, and he is obliged to prove before a panchayet of neighbours convened by the Village authorities that he was possessed of the property before he was robbed—thus in the first stage of the enquiry, a fair estimate of the complainant's losses is arrived at, which serves as a guide for fixing the amount of compensation to him finally awarded. On the other hand enhanced punishment is only inflicted when it appears certain that the missing property is either in the possession of the prisoners under trial, or that they have a guilty knowledge of where it is disposed of or concealed, and that it rests only with them to impart this knowledge to ensure restitution. The panchayet before whom the accused are tried, if satisfied of these facts, record them in their finding, and the presidency officer,[1] in passing sentence, takes them into consideration.

"My subsequent experience has tended to satisfy me that the principle is a sound one. The native of India having little or no public spirit requires some other incentive to make him an efficient prosecutor, to conviction; and the hope which the system holds out to all of recovering their losses induces many to prefer complaints and prosecute perseveringly who otherwise, in despair of restitution, and in dread of the future vengeance of the accused, their confederates, and friends, would remain silent under the loss and injury they had sustained. The system of the enhanced punishment therefore

[1] i.e. the presiding judge.

as it increases the chances of the recovery of the stolen property, proportionately adds to the hope of the sufferers, and urges them to exert themselves in the prosecution of offenders—a feeling which it is most desirable should be encouraged."[1]

The governor-general-in-council was quite satisfied with this exposition and sanctioned the continuance of the practice. "His Lordship in Council is assured that the necessity for the exercise of efficient supervision and control in the practical enforcement of this principle adverted to by the government of 1839 has not failed to be heretofore and will not fail hereafter always to be present to the minds of the judicial authorities in Mysore when cases, supposed to be of the peculiar nature which justifies the application of this principle, arise."[2]

(3) There were several instances, of which the following are examples, of conflict between the supreme and local governments about awarding capital sentences and other extreme punishments.

(*a*) There were two cases of murders committed in 1833 in connection with adultery—in one by a wife and in the other by a sister. Seven years had been awarded to the accused in the first, and no punishment in the second. Cubbon commented on these sentences as follows: regarding the first,

"The case under all its circumstances, taking also into consideration the established usage of this and other Indian governments, together with the full acquittal of the prisoner of all criminality by the Hindoo text quoted with the sentence of the Court ought not, in the Commissioner's opinion, to be visited as a wilful murder"; and on the second, "the Com-

[1] *Ind. Pol. and For. Cons.*, July 8, 1853, No. 32, paras. 3–5.

[2] *Ibid.*, No. 34. Also *India Bengal Despatches* (India Political), March 15 (No. 6) of 1854, para. 7: "The practice of Mysore courts which attracted your attention, of imposing as part of the sentence in cases of theft, restoration of the stolen property or payment of compensation for it, or in default of this, an additional term of imprisonment, has also been adopted in many cases under the Bombay Government, and there, as well as in Mysore, has been attended with good results."

missioner conceives that a clear case of justifiable homicide has been made out, and as such, that the prisoner should be acquitted and immediately released." However, in general he observed that it was "impossible that any British authority[1] could concur in this view of either of these cases, even although the decisions might be in conformity with the rules and customs of Mysore."[2]

(*b*) Commenting on a judgment in a criminal case in 1834, the supreme government said that "the terms of the sentence appear to the governor-general in Council to be objectionable as combining the penalty to be awarded to the offence of a criminal with the precaution to be observed in the case of a lunatic;"[3] and in the same year, while reviewing the judicial returns, they observed that 14 years were not adequate for a murder, and that the date of the commission of the crime thereafter should be inserted in the returns "as that circumstance with advertence to the state of the country may materially affect the propriety of the sentence."[4]

(*c*) In July and September 1836 two persons were condemned to death by Cubbon, despite an acquittal by the panchayat. When he was asked to explain this, he said that the adalat court had simply followed the custom of the country in condemning the assassin rather than the designer, and, finding this very wrong in principle, especially when jealousies were rampant and hirelings numerous, he thought that a deviation from the sentence of the adalat court was necessary.[5]

(*d*) In March 1841, he explained his conduct in connection with another murder case. "I could not wholly overlook the readiness of natives to take the law into their own hands, which combined with the general indifference with which murder is regarded among them, made me unable altogether

[1] i.e. the authorities in British India.
[2] *Ind. Pol. Cons.*, August 15, 1834, No. 43.
[3] *Idem*, September 5, 1834, No. 28, para. 5.
[4] *Idem*, December 2, 1834, No. 111.
[5] *Idem*, December 12, 1836, Nos. 64–5.

to divest myself of an apprehension lest the lenient interpretation of homicide under any circumstances should lead to a still greater laxity of feeling among the people with regard to taking the life of a fellow creature, or to what would be a very likely result, that of getting up such pretext for the indulgence of resentment or revenge, which it might be very difficult to detect."[1]

The governor-general echoed this view in May 1842. "Inadequate award of punishment is a kind of judicial laxity which is likely, more especially when prevailing in opposition to the recorded opinion of a jury, to impair that general respect for the laws which the public authorities must be anxious to maintain."[2]

(*e*) In July 1853 Cubbon had pronounced sentence of death on a man who, after the perpetration of murder, had gone mad. He justified this by saying that he thought "it better to order that he should be sent to Bangalore where he will be closely watched by proper persons and be visited from time to time by an European medical officer. In the meantime the sentence of death should be recorded against him, and he is to be reprieved until the pleasure of the Supreme government is known."[3] The governor-general commuted the sentence into rigorous imprisonment for life, and ordered that during the period of insanity the manner of treatment should be "proper to the disease."[4]

In December of the same year Cubbon sentenced a murderer to transportation. The government of India asked him whether the culprit should not be hanged. Cubbon gave a negative reply, and asserted that there had been no intention of murder in the act, chastisement of the deceased having been the sole aim of the prisoner. Death was caused by other causes. "The feverish climate of that part of Mysore [the jungly west, called malnad] frequently causes chronic

[1] *Ind. Pol. Cons.*, April 5, 1841, No. 113.
[2] *Idem*, May 18, 1842, No. 31.
[3] *Ind. Pol. and For. Cons.*, October 7, 1853, No. 120.
[4] *Ibid.*, No. 122.

disease of the spleen or other organs, and on subjects so affected, a slight blow, such as would cause no injury to a healthy person, over the diseased organ will cause rupture of it and consequently death."[1]

(*f*) In 1855 a washerwoman, who was charged with murder of her husband, was acquitted. The explanation was that "the proof appeared quite clear to me that the prisoner had premeditatedly put her husband to death by poisoning, but she was acquitted by a punchayut who tried the case, on the ground apparently that she had administered the dose as a philtre to recover his love and not as a poison to produce his death. Such a degree of innocence on the part of the prisoner seems incredible. Looking, however, to the high degree of respect in which the opinions of panchayuts are generally held, it has been my usual practice in such cases, and when there is no reason to suppose that the panchayut had acted under improper influences, to give the prisoner the benefit of such an acquittal as to refrain from passing a capital sentence."[2]

(*g*) In 1851 seven persons convicted for conspiracy had been ordered to be transported. The supreme government had confirmed the decision. But the prisoners appealed to the governor-general. As a result of this, six were ordered to be released and the seventh was sentenced for seven years of hard labour. "The present orders must be looked on as those of His Lordship in Council exercising the supreme appellate authority vested in him as head of the supreme council on an appeal regularly preferred."[3]

The principles enunciated in the administration of criminal justice as described above were undoubtedly to the benefit of the public, though students of legal doctrines may not accept all of them. The attitude of the commissioner was throughout to make the laws and courts popular and useful; but the atti-

[1] *Ind. Pol. and For. Cons.*, February 23, 1855, No. 77.
[2] *Idem*, August 17, 1855, No. 108.
[3] *Idem*, July 16, 1852, No. 192.

tude of the supreme council was to assimilate them to those of European countries. The two ideals were not necessarily antagonistic, but could generally be reconciled.

The result was noteworthy. The judicial system in Mysore, within the thirty years of Cubbon's rule, was changed in form and spirit. A collection of rules grew up which gave the first written law[1] to the people. It had produced almost a total revolution in the outlook on human character and society. By generally prohibiting corporal or humiliating punishments, mutilation and torture, it transformed the courts and judicial regulations into beneficent instruments. By the application of one law to all classes, save where custom demanded otherwise, it fostered the sense of equity, and by making justice free it set the poor on a level with the rich.

(iv) POLIGARS

The political claims of the poligars were not destined long to survive the appointment of the commissioner. Some of the poligars, however, did not submit without a fight. The poligar of Tarikere and his relations fought until the autumn of 1834,[2] and then surrendered. The leader, Kengal Naik, had been guilty of atrocities, plundering, burning, and cutting off noses, and so was tried and executed. In May 1835 Beleguty Thimmappa Naik and Mariappa Naik installed the son of the former as the poligar Digambarappa in Honnali taluk in Shimoga district and made the inhabitants pay homage to him.[3] The commissioner summoned the individuals to Bangalore, but does not seem to have punished them further In June 1849 the poligar of Chitaldrug and fifty others rose in rebellion. "They failed in exciting any overt sympathy with the people."[4] Dobbs remarks: "Thus through the

[1] *Ind. For. Cons.*, March (Part A) 1868 (Political), No. 45, para. 18.
[2] *Ind. Pol. Cons.*, July 25, 1834, No. 86, para. 3.
[3] *Idem*, July 6, 1835, No. 30, Serial No. 5.
[4] *General Memorandum*, p. 47.

prompt measures taken, and the activity of the police, and the energy of this young officer (Lieut. Harkness), the rising was suppressed without a single Village being plundered, or a drop of blood shed. I never for a moment had any apprehension of a rising amongst the people, but I dreaded the gathering of robbers and men of bad character, who might plunder the people in the name of the Polligars."[1] In 1855 "one poligar who was on his way to join the insurgents in the districts lately assigned by the Nizam was apprehended before he reached the frontier."[2] At the same time, one Chennabasappa Naik laid claim to the dominion of Nagar by virtue of his descent from Budi Basappa Naik, who had been put to death as an arch-rebel against the state and as the worst criminal of the insurrection in 1830. The court of directors said that "Lieutenant-General Cubbon's report, dated September 17, 1855, satisfied us that the petitioner is, in all probability, not a real descendant of the Bednore family," and that "even if he succeeded in proving himself their lineal representative, he would not have a shadow of a claim to the Raj; the Bednore state having been extinguished by Hyder Ali in 1763, and there being not the smallest ground for reviving it at this distant period."[3]

The policy of Cubbon was threefold: to wean their followers from the poligars, to compel the representatives of the poligar families to reside in Bangalore, and to pension off all who had valid claims on the sympathy of the government.

The first of these does not call for any great notice. The supporters of the poligars were brought under the special care of the amildar and the patel, and encouraged to take to cultivation. Their rights and duties were neither more nor less than those of others, and they were gradually merged with the other common people.

As regards the second, Cubbon laid it down that "a leading

[1] Dobbs, *op. cit.*, p. 40. [2] *General Memorandum*, p. 47.
[3] *India Bengal Despatches* (India Political), March 5 (No. 14) of 1856, para. 13.

member of the house is required constantly to reside under surveillance in Bangalore."[1] The insurrection of 1849 indicates that, while in the early days of his administration Cubbon succeeded in keeping them under awe, he afterwards loosened his control.

The last part of the policy, the pensions, was the most immediately effective, permanently reconciling the majority of the poligars to the state. The difficulty was how to determine the amount of the pension in every case. On May 8, 1834, Morison argued thus: "Some of the poligar families ... are reduced to want; while others have not the means of supporting themselves even in a very moderate degree of comfort. The principle adopted by Colonel Briggs in providing for the Terrikerray Poligars, and which is the same that had long prevailed in the country, was explained by that officer in his minute of August 4 1832 to be a 'pension calculated on the daily expences of their prison diet,' or as stated in another passage 'sufficient to support the family on the same terms as they lived in prison'; and although the sum proposed in statement No. 8 will do little more, yet if appropriated with due discrimination of claims and the actual circumstances of the parties, much comfort will arise from the indulgence, which will be hailed with gratitude and joy."[2] On July 25th following Cubbon was asked to enter into a minute investigation of the "condition of the pensioned Poligar families whose allowances have been from time to time reduced,"[3] and to make recommendations. On September 12th Cubbon, "after an attentive consideration of their present necessities and claims to indulgence," proposed a statement of grants which was "only 135–13 Canteroy Pagodas in excess to their present allowances," and which "will, I conceive, satisfy all just claims, relieve some of them from severe distress, and afford all of them the

[1] *General Memorandum*, p. 47.
[2] *Ind. Pol. Cons.*, July 25, 1834, No. 43.
[3] *Ibid.*, No. 77, para. 16.

means of living in comfort."[1] This was agreed to by the supreme government.

This list was modified later on. Two pensions were withdrawn for conspiracy against the state; and others were slightly reduced when the holder was appointed into the state service as an amildar or other responsible official, or divided among the descendants of the first pensioners.[2] The amount of the pensions in any case had not been large enough to keep the recipients idle.

(v) Communities[3]

As in other parts of India, the population in Mysore consisted entirely of Hindus and Mussalmans. The internal affairs of each community were so unsatisfactory that the government sometimes had to step in to maintain discipline and order.

The Hindus were strong in numbers. The brahman, who led them, was, however, very unpopular. "The dislike to the Brahmins expressed by some of the witnesses, and known to be strongly felt by the greater part of the people in the North-Western part of Mysore, as well as to prevail in a less degree throughout the country, is a fact which we have not overlooked. We regard it as a circumstance which had a considerable influence on the disturbances, but at the same time think that it is itself mainly referable to that mis-government of which we have already said so much. This caste having engrossed almost all offices of any importance, naturally drew upon themselves that odium which the malpractices of the public servants were calculated to excite. It is, however, worthy of remark, that in that particular part of the country where the feeling was strongest, it may have been heightened not only by that greater degree of mis-government, which, as we before remarked, had place there

[1] *Ind. Pol. Cons.*, September 19, 1834, No. 14.
[2] The exact references cannot be given to these statements.
[3] For the population census, see Appendix B.

than elsewhere, but also by an entire difference of religion, between this dominant caste and the mass of the inhabitants, who are of the sect denominated Lingayets."[1]

This animosity against the brahmans was partly due to the narrow policy of Purnayya, who was the dewan of the state from 1800 to 1810. "Had the confiscation [by Purnayya] merely deprived the Potails of the fair remuneration for duties still expected from them, abundant reason for discontent was furnished. But to squander the bread which they earned in daily gratuitous distribution, even before their very thresholds, to their caste adversaries, was an aggravation of their misfortune, which no time could allay."[2]

Subsequently, the court of Mysore, subject to the priestly influence, allowed a brahman oligarchy to overshadow its power and influence. "The Shivabhactar [Lingayats] of the higher ranks, whose ancestors had so large a share in the administration of their country [Nagar] under the Ikkery princes, have felt very keenly the Brahman ascendency established in Nagara chiefly through the Hungal family, since the accession of the rajah."[3]

The village accountant called the shanhbogue was occasionally accused of abusing his office by manipulating the figures and cheating the peasants. As he was a brahman, his community was involved in his unpopularity. In some quarters he ousted the patel or the headman of the village from his office and so increased the odium against himself. If, on the contrary, the patel preserved his position, the shanbhogue would perpetually quarrel with him. So that the shanbhogue was anyhow a butt for attack, fair or foul.

The main cause of cleavage in the Hindu fold in Mysore was, however, the existence in the lingayats of a body who "hold tenaciously to their own tenets, invariably resist the

[1] *The Report of the Insurrection Committee*, 1833, para. 204.
[2] *The Report on the Civil and Criminal Judicature in Mysore*, 1838, para. 140.
[3] *Selections from the Records of the Mysore Commissioner's Office*, 1864, Part IV, p. 27, para. 60.

pretensions of the Brahmans, with whom they have frequent collisions at the great processions of either sect, both parties attempting to force their way through the quarters of towns inhabited by their adversaries, by whom they are as stoutly resisted."[1] The jealousy between the brahman and the lingayat had reached the climax in 1830. "They [Budi Basappa's followers] had first put to death more than twenty persons most of them Brahmins, and public servants, whom they had seized on various occasions. Some of these were found hanging on trees, and others lying across the road with their throats cut."[2] "Several witnesses have given evidence of their having committed the most shocking atrocities, especially towards the women of those families which were the objects of their enmity or resentment."[3] No one but a spiritual leader could reconcile the two parties; and the chances of an English commissioner and his assistants uniting the two bodies were remote indeed. The proper remedy for keeping the two communities on friendly terms with each other was the creation of common interests between them.

Another aspect of Hindu life which called for the interference of the commissioner was afforded by struggles among the gurus or high priests for precedence and the bitterness with which their elections were attended. To any European, interference was a matter of great delicacy. Even when he was generally well acquainted with Hindu usage, he might have gone wrong. The question of precedence was purely a matter of local custom, which was liable to change. Cubbon had to confess to error in deciding one of these disputes: "Having determined to conform to mamool or ancient custom, I ought to have ascertained what had been the custom under the best form of administration in this Territory and not under the worst."[4]

At this time the gurus were essentially worldly. They

[1] Bowring, *op. cit.*, p. 172; also *Selections from the Records of the Mysore Commissioner's Office*, Part IV, p. 27.
[2] *Report of the Insurrection Committee*, 1833, para. 138.
[3] *Ibid.*, para. 210.
[4] *Ind. Pol. Cons.*, October 30, 1839, No. 47.

levied money from their disciples, the government officials among them having been made to pay their whole salaries for one or two months. Dobbs noted that "the native officials were always rejoiced when my camp did not lie on any Gooroo's route."[1] The high priests maintained horses, elephants, and camels, and indulged in pompous processions.

There are three instances on record to illustrate the difficulties which arose with them. In June 1835 a dispute between one Basavalingayya and another Somasekhara Shastri for the vacant office of the guru of Murugimath near Chitaldrug had arisen.[2] "The resident monks commenced a system of bribery to obtain the support of government servants in favour of the several candidates for the vacant post. A large bribe had even been offered to Mr. Popham, the Superintendent."[3] Bloodshed was only averted by the vigilance and firmness of the government. On this Cubbon, after careful enquiry, ordered the ancient mode of election to be adopted, i.e. "to elect a successor by the votes of the majority of the disciples who might assemble at the monastery on some fixed day."[4]

In 1839 a violent quarrel broke out between the gurus of the Sringeri and Parakalaswanri maths about worshipping the god at T. Narasipur in the Mysore district, and also about the precedence of the former over the latter on public occasions, and this again almost led to bloodshed.[5]

The third instance refers to an election dispute in 1855 between the disciples of the Chunchungiri math in Mysore district. The appellant was one Yalladahalli Masti Gowda, who protested against an election which had been held. This had been condemned as irregular by the huzur adalat, but its decision had been set aside on a technical question. In reporting this, Cubbon observed that "there is nothing in

[1] Dobbs, *op. cit.*, p. 86.
[2] *Ind. Pol. Cons.*, August 10, 1835, No. 68; *idem*, August 31, 1835, No. 21; *idem*, September 28, 1835, No. 78.
[3] Dobbs, *op. cit.*, p. 84. [4] *Ibid.*
[5] *Ind. Pol. Cons.*, October 30, 1839, No. 47.

the custom of the country to prevent the majority of the disciples from dismissing the present incumbent and electing another, but to do this there must be a majority of the disciples in general." The government of India agreed with Cubbon, and dismissed Masti Gowda's appeal.[1]

The Mussalmans were well distributed in the country, though generally preferring the plains to the hilly west.[2]

The one quality which distinguished them from the Hindus was their political consciousness. They had not yet forgotten the days of Hyder and Tippu, and the officers of the Sultan were still alive to remind them of the glories of the past. In 1832 sepoy Osman Beg threw a dead hog into the idga at Bangalore in order to bring the government into contempt, for which he was tried and executed.[3] In 1837 and 1838, when Canara was in rebellion, some Muslims of Mysore were in correspondence with the rebels. In 1855, on the eve of the mutiny, the Mussalmans formed a conspiracy against the government, but again failed.[4] In 1860, the prince Gholam Muhammad complained falsely of the funds belonging to his family tomb at Seringapatam and sought permission to visit Mysore to put the matter right. While Cubbon denied the charge and refused to allow the prince to visit Mysore, he wrote to the government of India that "I ought not to omit to submit for consideration, that the contemplated visit of a son of Tippu Sultan, with the sanction of Government, to Seringapatam (which has been the subject of correspondence between the Prince and the adherents of the family in this quarter) is generally believed to have an important political meaning, and that, combined with circumstances of recent occurrence, it has tended to revive the almost extinguished hopes of the Mahomedans and has caused considerable uneasiness to all classes of the Hindus throughout this Territory from the highest to the lowest.

[1] *Ind. Pol. and For. Cons.*, June 1, 1855, Nos. 84–86.

[2] See Appendix B.

[3] *India Bengal Despatches* (Political), April 23 (No. 9) of 1834, para. 20.

[4] *Ind. Pol. and For. Cons.*, August 17, 1855, No. 105.

On this subject a most earnest representation has been made to me by His Highness the Rajah."[1]

The greatest problem of the Mussalmans was their poverty.[2] The chief families among them would not take up any civil office under the government, or enter business. They clamoured for pensions to relieve their wants. Morison, Bentinck, and Cubbon were extremely anxious about the fate of these men, and while granting pensions on an improved scale, they also encouraged the younger members to join the government service or to find some profitable work.

But it was felt that the pensions only helped to ruin the Mussalmans of rank. "As the possession or prospect of a pension, however small, seems to have had the lamentable effect of destroying every impulse to exertion in this class of persons, many of whom may be seen in rags besetting the cutcherries, importune for what they call their 'right' to public support, refusing from false pride such employment as suits their capacity, and disdainful of the honest industry, by which the Mahomedans generally are now seeking to obtain a livelihood in this country. The pensioners and their numerous offspring, brought up in ignorance and increasing poverty, are indeed the only exception to the advancing prosperity of this part of the population, which at length seems to be settling down steadily to agricultural pursuits; and it were highly desirable for their own sakes, that some effectual plans could be devised to compel them to exert themselves; for it must be obvious to all who are acquainted with their circumstances and habits, that the bounty of the Government thus bestowed is causing much more distress and discontent than it has relieved; and that until the hope of being supported in idleness by the state is extinguished, no general or permanent improvement can be wrought in their condition."[3]

[1] *Ind. Pol. and For. Cons.*, February 1861, Part A, No. 28.
[2] *Ind. Pol. Cons.*, March 27, 1837, No. 51, paras. 5 and 6.
[3] *Idem*, July 20, 1840, No. 93.

As a result of this, the policy of the government towards the pensions changed. The governor-general wrote that he approved Cubbon's views "regarding the maintenance of a race of idle pensioners whom . . . you will not cease to urge by every possible means to take up some profession and relieve the state thereby of the unprofitable expence of supporting them. In accordance with the view taken by you of the claims of the family and their distitute condition if not assisted and the mode by which the younger branches may be induced to take employment in place of remaining idle, His Lordship in Council has been pleased to decide that a pension resumable at pleasure amounting to two-thirds of the former stipend be assigned from the death of the late pensioner to his eldest son."[1] The court of directors confirmed this principle and commented thus: "And accordingly on the death of the pensioners whose stipends are not held under an express or virtual pledge of perpetuity, the very proper course is now adopted of accompanying the re-grant of the whole or a part to heirs by an intimation that the provision will be discontinued at the next lapse."[2]

Fatal as it seemed at first sight, the new policy was successful. On December 10, 1843, the government of India heard with pleasure that "the distressed and disaffected Mahomedans, many of them of the best families who formerly crowded the public cutcherries and military stations clamorous for pensions and corrupting the native troops" had "at length found employment in the cultivation of sugar, coffee and silk."[3]

The Christians formed very small groups in the population. In 1852 there were 560 Indian protestants,[4] and a few thousand Indian catholics.[5] Between these sections of the

[1] *Ind. Pol. Cons.*, July 20, 1840, No. 98.
[2] *India Bengal Despatches* (India Political), December 31 (No. 45) of 1841, para. 3.
[3] *Idem* (India Political), March 7 (No. 6) of 1845, para. 4.
[4] *Revised Statistics of Missions in India and Ceylon*, by the Rev. Joseph Mullens, 1853.
[5] Bowring, *op. cit.*, p. 84.

Christians there was little in common. The attitude of the missions towards each other was one of indifference. Christianity in Mysore was still in its infancy, and had not, even in 1855, extended to the northern and western districts. It had not affected the occupations of its believers. The Indian Christians were cultivators, schoolmasters, shopkeepers, bankers, sepoys, and government officials.

The dangers to which Christians were exposed would have arisen from the fanaticism of some missionaries. But these dangers were much reduced by the popularity of the schools which the missionaries set up.

Of serious inter-communal riots, there is little on record. Only one was known, which arose out of a proposal of the lingayats to go in a procession before a mosque belonging to the cutchee or sett Mussalmans of Mysore town. The firmness and judgment of the superintendent averted bloodshed, and Cubbon's proclamation conciliated the two parties. The following passage from the proclamation stated the policy of the government in such matters:—

"Ryots of all castes live in the Mysore Territory, and the Commissioner must protect all of them alike, and without favour to any one over another. Whatever therefore has been the mamool from ancient times, whether in these or any other matters, whether amongst the Mahomedans or Hindoos, that mamool will be maintained and no new one suffered to be made.

"The Commissioner is persuaded that the Mussalman population of the Town of Mysore must have been advised by a few wicked and designing men to create this tumult, because it is contrary to their general good conduct to act in this disrespectful manner towards the Sirkar authority which has always shown itself ready to treat all the people with equal justice and kindness, showing no partiality to any particular class or caste."[1]

[1] *Ind. Pol. Cons.*, September 19, 1838, No. 83.

(vi) Payment of Arrears

Briggs had remarked in 1832 that if establishment arrears were not paid voluntarily they would be extorted by force.[1] The insurrection of 1830 had been partly caused by the disappointment due to delays in paying state salaries and wages. All classes and kinds of people were interested in this question. They included:—

(*a*) The employees of the sowar, barr, bargir, killay, jillow, shagird pesha, amrut mahal, kandachar, anche, khazana, dewan, adalat, motikhana, medical, sar amid, sandal, aramaney, and revenue offices;[2]
(*b*) The priests and servants of the temples, annachatrams,[3] and the Sringeri math, together with the brahmans in general;
(*c*) Pensioners, Purnayya's grandson, the brothers of Dasappaji Urs, the sahucars, shopkeepers, and woddars;[4]
(*d*) Together with a host of palace dependants and others.

There was considerable difficulty in deciding upon the applications. The accounts of the government were wrong, misleading or confusing. In some cases the calculations had been made on a ten-monthly basis, and in others on a twelve-monthly one. All of them had to be converted into the latter. Some applicants had been residing far away from Bangalore and could not readily present themselves for enquiry. Grant, who acted as the commissioner for the debts of the maharaja, introduced a distinction between the private and public debts of the maharaja which drove some of the creditors

[1] *Mad. Pol. Cons.*, October 16, 1832, No. 6.
[2] Killay = forts and works; jillow = retinue; shagird pesha = personal followers; amrut mahal = cattle breeding; anche = posts; khazana = treasury; dewan = prime minister and revenue; motikhana = supplies; aramaney = palace.
[3] Annachatrams = free-feeding houses for brahmans.
[4] Woddars = labourers in mud and stone, tank-diggers.

to the commissioner for satisfaction. On all these accounts Cubbon's work was slow and prolonged, and even in 1858 he was still paying off arrears due from the late government.

Between October 19, 1831, and July 1, 1834, 14 lakhs of rupees were paid off; and from the latter date until 1858 the following amounts were liquidated:—

	In Lakhs of Rupees
The barr and the sowar	2
Other establishments	12
Religious and charitable institutions	3
Private bodies	4
Public works	1
Total	22[1]

All payments of these arrears were made at the commissioner's office in Bangalore. The bakshi of the office to which the payees belonged was directed to attend while the commissioner's treasurer issued the money and a European assistant superintended. No time-limit could be set to these payments, as the conditions were beyond control. There was an air of uncertainty as to the balances of arrears at every stage, and, to his credit, Cubbon did not reject any claim by reason of delay in presenting it.

B. REFORMS

(i) Administrative Reforms

By August 1834 a regular civil service was introduced.[2] The offices of dewan and the faujdars who had combined civil and military functions were abolished. The country was administered by the sole commissioner, four superintendents, and a number of amildars. Regulations were drawn up for their guidance. Appointment, pay, promotion, leave, transfer, retirement, and dismissal were adjudged on definite and

[1] These figures are compiled from the annual financial statements.
[2] *Ind. Pol. Cons.*, July 25, 1834, Nos. 76 and 77.

declared principles. In the case of superintendents, the Madras regulations were applicable, because they continued to belong to the Madras government,[1] their rank alone being subject to the orders of the Mysore commission. All the regulations aimed at protecting the public interests against private or personal advantages. A principal sadar munsiff was dismissed for accepting bribes;[2] a mufti of the huzur adalat holding extreme Wahabi tenets was removed;[3] a judicial commissioner and a superintendent of police, both Europeans, were deprived of their offices for violating the rules of procedure;[4] and numerous amildars were reduced, transferred, dismissed, or otherwise punished for misconduct, misappropriation, corruption, or oppression.

Simultaneously with this reorganization, the dewan's office became the secretariat with two general branches, the English and the vernacular (daftar). The secretary to the commissioner, who held a higher rank than the divisional superintendents,[5] was the head of this office. He had at first two and later four European assistants, who were usually fresh men receiving training for their future executive work.

Subject to the control of the commissioner in all respects, but working independently of the secretariat, there were the following offices (kacheris) which corresponded to the modern departments:—

1. The revenue (dewan).
2. The posts (anche).
3. The police (kandachar).
4. The public works (maramat).
5. The military (sowar and barr).
6. The medical.

[1] The Hon. H. B. Devereux alone belonged to the Bengal civil service.
[2] *Ind. Pol. Cons.*, May 18, 1835, No. 113.
[3] *Idem*, October 25, 1841, No. 126.
[4] *Secretary of State's Despatch* (India Political), January 12 (No. 1) of 1860.
[5] *Ind. Pol. Cons.*, August 8, 1836, No. 61.

7. The public cattle (amrut mahal).
8. The judicial.
9. The public instruction.

The head of the first office was a *Head Sheristadar*, whose duties were similar to those of the former dewan in his revenue capacity.[1] Those of the anche, kandachar, and the sowar and barr were called *Bakshis*. They were all Indians. But the conduct of the kandachar and the sowar bakshis was so unbecoming that their posts were abolished in 1841 and 1839 respectively, and their duties distributed as described already.[2] The remaining five departments were under control of Europeans, who were styled *Superintendents* in the maramat, medical, and amrut mahal, *Judicial Commissioner* in the judicial,[3] and *Director* in the public instruction,[4] sections.

Of all the nine departments, only two were created by the British commission, viz. the medical and the public instruction. The justifications for such courses of action will be found in the chapters relating to them. The other departments had been integral parts of the maharaja's system of government.

The ideals of Cubbon were simplicity, publicity, and efficiency combined with vigour. The first of these was sought in at least four ways. The country was divided into four, in place of six, areas, each called a division and producing about a quarter of the total revenue.[5] The number of taluks was reduced by amalgamating some of the smaller ones.[6] Administrative units became thereby larger, establishments fewer, accounts simpler, inspections easier, and work more uniform. Secondly, superintendents were invested with an unusual extent of power[7] within their territory, and became re-

[1] At the rendition the Head Sheristadar was made the Dewan.
[2] *Supra*, pp. 34 and 40.
[3] Appendix A.
[4] *Infra*, p. 85.
[5] *Ind. Pol. Cons.*, July 25, 1834, No. 35.
[6] *Idem*, May 25, 1835, No. 79. This is but one of the several references.
[7] See *infra*, p. 165.

sponsible for the supervision of the officials, the prosperity of the people, and the maintenance of public peace. Thirdly, amildars were prohibited from addressing the commissioner directly on any matter whatever, in order to end a type of evil that had been prevalent under the maharaja's administration. Fourthly, the double daftar (records) was abolished,[1] and either marathi or kannada was to be the sole language of official correspondence in every taluk office. One of the two languages was also to be used in letters between the offices of the superintendents, but an English translation might follow for the superintendent's convenience. All accounts and returns submitted to the commissioner's office were to be in marathi as far as possible; but the practice of sending them in kannada was gradually becoming more general. It is doubtful whether in the latter half of Cubbon's administration any accounts were sent in marathi at all.

Publicity in the proceedings of the government was secured by notifications, circulars, and proclamations. Rules and regulations were put up in conspicuous places in kannada. Circulars on matters of general importance were sent to the superintendents and the amildars. Proclamations were reserved for serious purposes, and were often accompanied by elaborate ceremonial.[2] Some government notices were

[1] *Ind. Pol. Cons.*, June 1, 1835, No. 64. The circular.

[2] (*a*) (i) Against gang and torchlight robbery, *Ind. Pol. Cons.*, June 29, 1835, No. 91, Serial No. 9.

(ii) On bribery, *Ind. Pol. Cons.*, May 4, 1835, No. 89.

(*b*) In connection with the fall of Sebastapool, *Ind. Pol. and For. Cons.*, January 4, 1856, Nos. 87–88. See also *Private Letters of Marquess Dalhousie*, by Baird, pp. 359, 360.

(*c*) In connection with the publication of the Queen's Proclamation, the *Madras Daily Times*, November 5, 1858.

(*d*) The following circular may be interesting: "There being reason to apprehend that due publicity has not been given by the Amildars to the Hoozoor Proclamations throughout their Talooks, directs that on all future occasions, when copies of Proclamations issued direct from the Commissioner's Office reach the Superintendent, he will adopt measures to ensure the widest promulgation being given to them, and in his periodical tours further satisfy himself as far as possible, by personal enquiry, that the contents of them have been fully and clearly explained to the inhabitants of each Talook."

designed as warnings to everybody, official and non-official. Such, for instance, was the notice against corruption; the people, on the one side, might bring charges of corruption, incapacity, etc., against the officials, provided they offered a security for their proceeding; and the amildars, on the other, were to depend upon the support of the government in prosecuting malicious libellers.[1] The commissioner declared his willingness to welcome representations of real grievances either by petition or in person, adding at the same time that he would punish all unlawful gatherings, the spreading of false reports, and attempts to terrorize officials. In later days the government published its notices in the local newspapers.[2] It does not seem probable that the *Mysore Gazette* ever appeared under Cubbon.

Efficiency increased by the establishment of fresh standards of right and wrong, by insistence on energetic work, and by inculcation of a sense of duty and responsibility. Bribery, presents, and stoppages from the pay of the officials were strictly prohibited. Bribery was a matter for severe punishment; the receiver had to return the bribe, pay in addition double that amount as fine, and suffer imprisonment of either kind at the discretion of the magistrate.[3] The previous monopoly of office by a few maratha families was broken up. No one could hold an office in a taluk or village where he owned lands and houses. No doubt ingenious men evaded these rules and the practice of ages could not be wiped out in one generation. But Cubbon was not disheartened; he was rather optimistic. He stimulated honesty by enhanced pay and salaries and by a regular system of promotions. Officials were often imported from Madras as models of skill and hard work. Tours, inspections, reports, and returns were made so regular that very little could escape the notice of the commissioner and his assistants in the divisions. The responsibility of every official was fixed and his sphere of duty

[1] *Ind. Pol. Cons.*, September 28, 1835, No. 77.
[2] See the *Vrittanta Bodhini*.
[3] *Ind. Pol. Cons.*, May 4, 1835, No. 87.

clearly marked out. Officials of merit were honoured publicly with titles,[1] special retiring pensions,[2] and high appointments for their sons and dependants.

(ii) Financial Reforms

These were administrative and fiscal. Of the two, the former received the earlier consideration. As all finance was central,[3] the commissioner's office prescribed uniform registers, forms, and rules. Bentinck ordered that nine books should be maintained in each taluk office, as "it is highly necessary that the actual state of money collections and also the progress of the cultivation of lands under the Battayee system should be made known every month."[4] These were to be kept in the vernacular, and, when they were submitted to the commissioner, to be translated in the head sheristadar's section into English. All forms were serially numbered and referred to only by their numbers. Large quantities of them were printed and distributed to the several offices. The amildars had to submit their taluk accounts to the superintendents between the 20th and the 25th of every month, and the superintendents had to send in their consolidated statements on the last day of the month, full explanation being given for any delay. All specie was to be deposited in the treasury and carried to account.[5] An amildar had to

[1] "Rai Roya Rai" on Venkata Row, the first Indian assistant to Cubbon, "in consideration of the eminent zeal and ability and integrity displayed by that individual while filling the office" (*Ind. Pol. Cons.*, June 13, 1838, No. 58.)

[2] Gundoopant's case, *Ind. Pol. and For. Cons.*, March 20, 1857, No. 39. Chennappiah's case, *idem*, September 16, 1859, No. 82.

[3] *Ind. Pol. and For. Cons.*, January 14, 1859, No. 201. The organization of local funds came in 1860 with the introduction of the plough tax (see Appendix C for an account of this tax). Till then, the only thing that resembled a local fund was a ferry tax levied on private boats on certain rivers, and carried to account in the revenue department.

[4] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 62.

[5] *The Administration Report of Mysore*, 1863–64, para. 284.

send all collections[1] on the 25th of every month to the superintendent, who, in his turn, sent all sums exceeding a certain maximum to the commissioner. Revenue officials below the rank of amildars had to remit their cash on the day of its receipt to the nearest taluk treasury. All accounts had to be audited—the amildar's by the superintendents, the superintendents' by the commissioner, and the commissioner's by the supreme government or its agent.

In the beginning no expenditure in the state could be incurred without the commissioner's sanction. Later on the superintendents were empowered to sanction bills up to about Rs. 150.[2] In no case could an amildar spend public money, nor could any payment be made from the taluk treasury without the superintendent's order. The commissioner's freedom itself was limited to sanctioned expenditure. If more was wanted, he had to apply to the governor-general, who sometimes sought the permission of the court of directors, as in the case of the jail and treadmill at Bangalore or the opening of the Agumbe pass.

Treasuries were established in the headquarters of the amildars, the superintendents, and the commissioner, like tanks linked with one another. All receipts and payments were in cash. Hundis were disallowed from 1835. A regular system was started in the payment of officials, though the old habit of keeping all establishments one month in arrears was still continued. It is not known when this practice was given up. No deductions on account of private debts, land revenue, or matters not connected with the service were permitted on the acquittance roll.

On the other hand, all allowances however small were calculated and paid. No pensions were allowed as a general rule, though a few were paid by special sanction. Contingent

[1] In the past it had been the practice to deduct several amounts on account of the charges of collection, urgent tank repairs, etc., before the collections were actually remitted to the treasury.

[2] As this power was granted in 1835, it is possible that a greater freedom might have been given subsequently.

expenditure was generously provided for every office. Travelling allowances were paid to all public servants,[1] including peons, the higher officials being paid by day and the rest by mile. Advances for parties escorting treasure or carrying accounts for the use of officers on tour were paid, the old "durbar khurch" having been abolished. Advances were also sanctioned for urgent works connected with tanks, roads, and sandalwood. Remissions of revenue were given in cases where the cultivators or renters had suffered for reasons beyond their control, while in case of wanton or obstinate delay the property was seized and publicly sold.

Until 1854 public accounts were kept in kantiraya pagodas. This was considered expedient in 1834 "on the principle of its being better to endeavour to improve existing institutions than to reform them according to the rules obtaining under our own Government," and "since that period as no practical inconvenience has been found in the working of the system I have allowed it to go on."[2] But after twenty years Dalhousie raised the question again, ordering that the old system should be abandoned and a new one based on the company's currency instituted. This was effected in 1855.[3]

Bentinck had expected Cubbon to resume all invalid inams. In 1840 a list of them was prepared,[4] but nothing more was done, and all inam holders continued to inherit, divide, and dispose of their lands according to custom,[5] though they were no longer called upon for service[6] except for the maintenance of public peace.[7]

The battayi tenure was discouraged, and the responsibility

[1] This was an innovation altogether. *Ind. Pol. Cons.*, October 14, 1834, No. 21. Cubbon's memorandum.
[2] *Ind. Pol. and For. Cons.*, October 20, 1854, No. 54.
[3] *Ibid.*
[4] *Ind. For. Cons.*, May 1877, Revenue, Part A, No. 11.
[5] *General Memorandum*, p. 98.
[6] *Ind. For. Cons.*, March 1873, Revenue Irrigation, Part A, No. 1.
[7] *Collection of Circular Orders to Criminal Courts*, p. 14.

of the amildar for the crop and its regular disposal in a fair manner was defined.[1]

The regular mode of assessment on government lands was ryot-wari, and receipts were given for payments either on the back of the patta or on a separate paper. The ryot was free to pay his dues in five or six instalments, from October, November, or December, according to the harvest season of his locality. This meant that he could sell his produce to advantage and then settle with the government, thus avoiding any necessity for borrowing under pressure or for offering security. Annual pattas were generally granted. But five-year leases might be granted upon a fair advance, on the average of the previous five years' produce being tendered.[2] As a general rule such leases of villages were only given to respectable landholders of those villages. In order to bring waste under tillage, "New lands are granted upon the average rewaz or rate of the village, at a progressive rate generally of three years; one-third for the first year, two-thirds for the second, and the full rate for the third; if much expense and labour are to be incurred in clearing, the progressive rate is extended to four or even more years, nothing being charged for the first year."[3]

An attempt was made to revive the raising of two crops per annum by offering to levy on the second only five-eighths of the tax on the first crop and by promising that the tax would no longer be collected twice on the same produce if the harvest was prolonged from one revenue year to another.[4]

The Appendix C contains an account of reforms in customs duties and other taxes; and the Appendix D is a review of the coinage and currency in the period.

[1] *Ind. Pol. Cons.*, May 25, 1835, No. 77, Serial No. 8; *idem*, June 29, 1835, No. 98, Serial No. 5.
[2] *General Memorandum*, p. 103.
[3] *Ibid.*
[4] *Ind. Pol. Cons.*, May 11, 1835, No. 60, Serial No. 9; *idem*, July 13, 1835, No. 81, Serial No. 3.

C. MORAL AND MATERIAL PROGRESS

(i) Education

The period of Cubbon was the age of Macaulay's minute on western education and of Wood's despatch on the state control of public instruction. Although Mysore did not pass through the vicissitudes which other provinces experienced, it came under the influence of the educational theories of the time.

The year 1840 is the starting-point of English education in Mysore, as in Madras. On October 1, 1840, the maharaja founded a free English school at Mysore under the supervision of a Wesleyan missionary, the Rev. T. Hodson.[1] In 1842 the Wesleyan mission started at Bangalore an English school to which the commissioner granted a monthly allowance of Rs. 50.[2] This school, under the management of the Rev. J. Garrett, was known as the Native Educational Institution. The commissioner consented to help this financially only "to encourage education by the best, if not the only, means then available," and not "to connect the Government of Mysore with any missionary body, but only to take advantage of Mr. Garrett's peculiar talents."[3] By the close of 1852 the demand for English education was extensive, and the missions reported having five English schools at Bangalore and Tumkur.[4] It was also mentioned that the people of the latter place had subscribed Rs. 1,000 for the building.[5]

In 1852–53 the government appointed a committee of education at Bangalore "for the extension and improvement of education throughout the country,"[6] and set apart

[1] *Ind. Pol. Cons.*, January 25, 1841, No. 50.
[2] *Report of the South Indian Missionary Conference*, 1858, the Rev. John Hutcheon's paper on "The Wesleyan Missionary Society, Mysore Mission"; also *Ind. Pol. and For. Cons.*, July 30, 1858, No. 118.
[3] *Ind. Pol. and For. Cons.*, July 30, 1858, No. 118.
[4] *Revised Statistics of Missions in India and Ceylon*, by the Rev. Joseph Mullens, 1853.
[5] The Rev. John Hutcheon's paper, *op. cit.*
[6] *Ind. Pol. and For. Cons.*, August 6, 1854, No. 54.

Rs. 7,000 for educational expenditure. Garrett drew up a scheme of vernacular and English education, which was accepted by Cubbon. Accordingly, the Native Educational Institution, which, since 1851, had become a high school, was made the model for other institutions in the province. The schools at Tumkur and Shimoga began teaching up to the high-school standard in 1852–53 and 1854 respectively, though they still included lower classes. The school at Hassan, which had been started in 1844, but closed four years later, was reopened as a simple anglo-vernacular institution with a handful of boys.[1] Simultaneously with these, the Wesleyan mission founded, on the petition of 3,000 inhabitants, an English school at Mysore.[2] All these were practically private institutions. Their success depended on the energy and intelligence of Garrett. He voluntarily inspected the schools at Tumkur and Shimoga. The curriculum in all these schools was identical. The Bible was taught in all of them, but attendance was optional. The monthly subsidies of the government were Rs. 800 to the Native Educational Institution (including its branch in the cantonment), Rs. 200 to the high school at Tumkur, and Rs. 220 to the high school at Shimoga, their respective strengths being 359 (excluding the cantonment branch), 125, and 116.[3]

Village education was promoted by the Wesleyan and London missions, which established a few vernacular schools. But rural education really depended on the old village schools. These were 2,460 in number, with 29,776 boys in 1855–56. Cubbon said that "these schools are of the rudest description, and the bare subsistence which the village schoolmasters eke out of the scanty fees can only be

[1] *Ind. Pol. and For. Cons.*, October 3, 1856, Nos. 91–96.

[2] The Rev. John Hutcheon's paper, *op. cit.*

[3] *Ind. Pol. and For. Cons.*, October 3, 1856, Nos. 91–96. Bowring said that these were being paid out of the fund for charitable allowances. This might have been true only until 1852, when a distinct allotment for education was started.

expected to secure masters of a very low order of qualification."[1] Classical learning in Sanskrit and Persian continued on its old lines in the colleges specially endowed by private individuals and in the seminaries of the maths, temples, and mosques. The government continued all customary grants. However, the maharaja's Sanskrit college at Mysore was a wholly independent institution, and served as a great factor in promoting the study of ancient Hindu literature, science, and philosophy.

It is obvious that the field of education had been occupied by the government, the missions, and the maharaja until the state control of education became a recognized fact. The three acted in co-operation with one another. The commissioner confined himself "First—to establish schools for instruction in the different branches of knowledge in the Vernacular languages and written character of the country. Second—to translate the Books of information in various subjects into those languages and letters. And thirdly—to give all who have leisure and inclination to extend their studies the means of acquiring that foreign language from which the most general information is to be obtained, that is, the English."[2] The missions prepared and published, in good print, textbooks for all classes and in all the subjects taught. The Wesleyan mission established a press in 1840, which was the very first in the history of Mysore. In 1840–41 Mrs. Sewell, the wife of the Rev. J. Sewell of the London mission, started first one and then another girls' school at Bangalore.[3] Garrett and Rice worked incessantly as writers, teachers, and inspectors, as well as organizers. Sanderson, another missionary, edited a good Kannada and English dictionary. Garrett started the systematic training of teachers. The remarks of the court of directors in para. 96 of the educa-

[1] *Ind. Pol. and For. Cons.*, October 3, 1856, No. 90, para. 26.

[2] *Ibid.*

[3] *Report of the South Indian Missionary Conference*, 1858, the Rev. J. Sewell's paper on "Bangalore Mission of the London Missionary Society." See also the *Madras Daily Times*, December 25, 1861.

tional despatch of 1854[1] are applicable to the missionaries in Mysore as well as to those in British India. Dalhousie was quite right in holding that "Mysore would probably be most conveniently managed in educational matters as a part of the system which may be established at Madras."[2] The activities of the maharaja were not so extensive as those of the others. He aimed at introducing a higher and more cultured education among a few who were selected for it, and took a direct personal interest in the students and their progress.

At the end of May 1857[3] the state entered on a new course. Thenceforward it controlled education directly in accordance with the general Indian educational policy. A department of public instruction was created with Captain Stephens, the fourth assistant to the commissioner, as Director, and Frederick Green, an engineer, as the inspector of schools.[4] A little later the inspectorate was expanded to include a deputy inspector and two sub-deputy inspectors.

The next step was to free the English schools from missionary predominance. In 1859 Garrett resigned from the Wesleyan mission[5] rather than abandon his educational activities; and he then succeeded Stephens as Director.[6] The English schools at Tumkur, Shimoga, and Hassan became government schools in which the Bible was no longer taught,[7] although the model institution at Bangalore continued for two years longer on a grant-in-aid basis.[8] In 1858–59, how-

[1] "In Madras, where little has yet been done by Government to promote the education of the mass of people, we can only remark with satisfaction that the educational efforts of Christian missionaries have been more successful."

[2] *Selections from Education Records* (The Government of India), 1922, Part II, p. 396, para. 9.

[3] Actually, June 2, 1857.

[4] *Ind. Pol. and For. Cons.*, July 10, 1857, No. 87.

[5] *Idem*, July 30, 1858, No. 118.

[6] *Idem*, October 7, 1859, No. 179; and *Secretary of State's Despatch* (Education), August 11 (No. 12) of 1859, para. 3.

[7] Dobbs, *op. cit.*, p. 69.

[8] *Ind. Pol. and For. Cons.*, February 27, 1857, No. 91.

ever, even this school was made a purely government institution. Its character was made more central by compelling every boy who received a scholarship from the government to join that school for his higher studies. It was placed under the management of Garrett himself, even though he was Director. In 1859–60 this central high school was affiliated to the Madras university. In 1860–61 four more government English schools were started, the buildings for which were provided by private philanthropy.[1]

The government had at first intended to have one vernacular school in each taluk. But there was no public demand until 1860–61, though even then it was not enthusiastic. The government proposed, however, "to open eight more schools as soon as qualified teachers can be obtained,"[2] but government was extremely anxious not to interfere with private institutions, such as the remaining mission schools, the Mootacherry English school, the Hindu girls' school in Bangalore petta, and the Hindustani school in the cantonment. To them it continued the grant-in-aid. But its policy was to withdraw from all connection with the schools in the cantonment and to concentrate on the schools outside it.[3] The rules for grant-in-aid were copied from those of Bengal. Fees were to be collected from all boys in all the schools. The secretary of state ruled that "no scrutiny should be instituted into the source from which the payments of the pupils come," nor should "benevolent individuals be debarred from undertaking the charge, in cases where the parents of the children may be unable to pay the fees."[4] The total allotment for education from 1857 had been Rs.1,25,000 per annum; but only Rs. 42,000 had been actually spent, the remainder lapsing into the general state funds. But the secretary of state ordered that such balances should in

[1] *The Mysore Administration Report*, 1860–61, para. 57.
[2] *Ibid.*
[3] *Ind. Pol. and For. Cons.*, February 27, 1857, No. 91.
[4] *Secretary of State's Despatch* (Public), October 22 (No. 20) of 1858, para. 21.

future "be carried on from one year to another, with a view to bringing the course to be followed in Mysore into more exact conformity with previous instructions on this subject."[1]

A government press was formally opened in 1858 at a cost of about Rs. 7,500 per annum under the supervision of Garrett. It should be noted that this ceremony was undertaken in connection with the addition of an English branch to an old institution. The kannada section of the press had been established in 1841–42.[2] In Bangalore in 1858 there were seven presses owned by private bodies; but one of the objects of the government in opening an eighth at considerable expense to itself was to produce cheap textbooks for schoolchildren.[3]

There was no press act in Mysore. Two newspapers were being published at Bangalore. One James issued an English *Bangalore Herald* twice a week, and one Bhashya charry edited an Anglo-Kannada weekly, "the *Mysore Vrittanta Bodhini*."[4] The Madras papers also circulated in the country.

Cubbon admitted that he could make "no particular show" of education. Under the old system, the great difficulty had been the paucity of qualified teachers.[5] To obviate this a normal school had been started at Bangalore in 1855. Under the new scheme, which came into force in 1856, the hindrance to progress was purely psychological. "Our efforts in this direction are looked upon by the great mass of the people with extreme distrust. . . . The better educated natives of these parts . . . hold back to a considerable extent. . . . It is also well-known that during the recent struggle these impres-

[1] *Secretary of State's Despatch* (Public), October 22 (No. 20) of 1858, para. 23.

[2] *Ind. Pol. and For. Cons.*, March 8, 1843, No. 115. See under Charitable Allowances.

[3] This is Bowring's view. See the *Mysore Administration Report*, 1863–64, paras. 520–522.

[4] *Idem*, 1862–63, Appendix G. Copies of this journal are available in the British Museum (Oriental manuscripts section).

[5] *General Memorandum*, p. 50.

sions and suspicions were taken advantage of by the discontented to serve the purpose of the moment, and increase the public distrust. They pointed to our schools as *the* great source of danger to the religions of the country, and as the sure and safe plan which we had adopted for the conversion of the children. . . . When the minds of the people settle down once more, it will be well to stimulate those connected with the Department to increased exertion. The existing schools being in the *interim* well cared for and supervised, and increased according to circumstances."[1]

(ii) Health

It has been said that the climate of Mysore is more pleasant than healthy, and that the epidemics of fever and influenza which are common throughout the country prove more fatal to the local inhabitants than to the Europeans. The records of medical observers go to show that Nandidrug, Chitaldrug, and Sira have become healthier, while the malnad and the Kaveri valley have not changed at all.[2]

For the treatment of sickness the people went to the hakims and pandits. There were no dispensaries or hospitals except the one established at Mysore by the maharaja in 1812, nor was there any organized medical relief for the whole country.

But the indigenous system was not unpopular or unsuccessful. Smith, the surgeon of the commission, said that "in the treatment of disease, the native Hakims and Pundits, though they act empirically, are frequently successful; and many of their remedies are excellent, but applied without judgment."[3] The system was also suited to the customs of the people. It was wise for Cubbon to leave the question of general medical aid in the hands of the doctors who were

[1] *The Mysore Administration Report*, 1858–59, para. 42.
[2] *Statistical Report on Mysore*, by Charles Irving Smith, 1854, p. 7.
[3] *Ibid.*, p. 9.

acceptable to the people and to recognize them even officially.

He therefore continued the practice of attaching pandits and hakims to the staff at the jails. At Shimoga a pandit discharged the duties of medical officer in the superintendent's office until an apothecary was appointed in his place in 1840.[1] At Mysore, in addition to an apothecary, a pandit and a hakim were appointed in the superintendent's office.[2] In all the taluk offices and military stations, hakims and pandits had their customary place. But before anyone was selected for his office, his professional and personal qualifications were investigated.[3] There is no doubt, however, that Cubbon sanctioned these arrangements against his personal convictions.[4]

The European system was at first introduced solely for the benefit of the Europeans in the service;[5] but eventually it was demanded by the people of Bangalore and other towns where its advantages had been learnt by experience. In 1834 the establishment of European doctors consisted of Smith, who was an assistant surgeon of the Madras service, working on the staff of the commissioner at Bangalore, and of three apothecaries, serving on the establishments of the superintendents at Mysore, Bangalore, and Tumkur. Their work was co-ordinated by the commissioner, who, in times of epidemic, sent out medicines with instructions for free distribution. In 1835, however, he transferred this charge to his assistant surgeon. In 1836 the arrangement was confirmed by the sanction of a small independent staff for Smith.[6] The supervision and control of the apothecaries henceforth belonged to him. Even vaccination was transferred to him in the same year.[7]

[1] *Ind. Pol. Cons.*, April 20, 1835, No. 82; and also *idem*, December 7, 1840, No. 68, paras. 4 and 5.
[2] *Idem*, June 29, 1835, No. 87.
[3] *Ibid.*
[4] *Idem*, September 28, 1835, No. 85.
[5] *Idem*, October 14, 1834, Nos. 21 and 22.
[6] *Idem*, May 2, 1836, Nos. 97 and 98.
[7] *Idem*, September 12, 1836, Nos. 106–110.

The first public dispensary was opened in June 1835 in the Bangalore fort and placed under the management of Smith.[1] In 1839 a hospital and dispensary on a small scale was established in the Bangalore petta (business quarter).[2] "This became so useful that in 1846 he [Cubbon] built a large Hospital near the north gate of the Native Town, capable of accommodating seventy in-door patients."[3] Separate wards for the brahmans, and the vaishyas and the lingayats were added in 1852 and 1856–57 respectively.[4]

A Leper House was constructed in 1845, and a Lunatic Asylum was established in 1850. In the cantonment a hospital for 70 in-patients was ready in 1852 as a complement to the dispensary started in 1834.[5]

The first hospital outside the headquarters was opened at Shimoga in 1850.[6] It increased in popularity so rapidly that an assistant surgeon was soon placed in charge of it,[7] and the accommodation became insufficient.

The annual cost of medicines came to Rs. 3,000. European medicines were at first bought from the military medical stores in the cantonment. As this proved inconvenient, a regular depot was established at Bangalore, the stock being obtained from Madras and London.

Vaccination had been introduced among the people by the maharaja, but the organization of the staff was so confused as to offer a serious difficulty under this head. Cubbon decided to place the whole establishment under the care of his assistant surgeon, and invested the superintendents and the amildars with powers of general supervision over the vaccinators. Vaccination was performed by the assistant surgeons, all the apothecaries, and fifty to seventy-five

[1] *Ind. Pol. Cons.*, June 29, 1835, No. 54.
[2] *The Mysore Administration Report*, 1855–56.
[3] Charles Irving Smith, *op. cit.*, p. 13.
[4] *The Mysore Administration Reports* of 1855–56 and 1856–57.
[5] *Ibid.*
[6] *Ind. Pol. and For. Cons.*, January 9, 1852, No. 15.
[7] *Ibid.*

official vaccinators. The reports show that this protection against smallpox was increasingly popular and successful.[1]

Births were nowhere registered, but an account was kept of deaths.[2]

(iii) Social Problems

Though sati had been prohibited by the maharaja, it had not completely died out. In May 1834 one Venkamma of the rachawari caste at Mysore applied for permission to observe it. This was refused, and she was kept in custody for three months. The governor-general confirmed this order, but would not promulgate the regulations of the supreme government within Mysore on the ground that "in all probability it will in a short time become altogether obsolete, without the enactment of any penal regulation."[3] His expectations were fortunately realized.

Slavery persisted longer than sati. It varied in character and was limited to the west. In the town of Mysore parents in distress used to sell their children[4]—more the girls than the boys—to Kuntchuees[5] as household servants. In the households of rich ursus (the relations of the maharaja) hundreds of such servants existed. "Having been purchased in early childhood from their parents, or at a later period from their husbands or relations, are [and?] condemned to pass the remainder of their lives, as the domestic drudges of their purchasers, shut out from communication with their relatives, debarred all egress from the place of their confine-

[1] *Ind. Pol. Cons.*, December 5, 1838, No. 165; also *idem*, April 5, 1841 No. 118; *Ind. Pol. and For. Cons.*, October 3, 1856, No. 171.

[2] *Ind. For. Cons.*, 1864, General, Part A, July, No. 9. See also the *Report on the Medical Topography and Statistics of the Mysore Division of the Madras Army*, 1844, p. 44.

[3] *Idem*, July 25, 1834, No. 90. See also the *Board's Collections*, Vol. 1587, No. 3, 64548–64550, p. 9.

[4] *Idem*, April 6, 1835, No. 84. See also "Slavery in Southern India, 1808–1830," Vol. I, *The Madras Journal of Literature and Science*, 1834.

[5] The character of this community cannot be traced.

ment, prohibited in general from marriage, and subjected too frequently to the most savage and brutal treatment, their lives are passed in the most bitter descriptions of slavery, and frequently terminate prematurely, either by disease or self-destruction."[1] In the malnad of the Ashtagram division, where the people still lived under a feudal form of government, there were the "old sons" who passed with the family estates, though in other respects they were free enough.[2] In the malnad of the Nagar division, in addition[3] to the two classes mentioned above, viz. the domestic slaves and the "old sons," there were slaves known as the "manavastijana," who were employed by the government to repair the forts.[4] Cubbon emancipated the last class, bestowed waste lands upon them, and declared his willingness, in the case of the others, not "to interpose his authority to enforce their compulsory restoration [to their owners] without the sanction of the Government of India."[5] Owners of slaves were warned at the same time "that any violence or force employed towards one alleged to be a slave shall be equally punished as if employed towards a free person."[6]

Two poor-houses, one in the Bangalore town and another in the cantonment,[7] had been established with private subscriptions quite early. The commissioner gave them financial support. A leper asylum was also started to afford the miserable wretches what they could enjoy.[8]

[1] *Ind. Pol. Cons.*, November 22, 1841, No. 37.
[2] *Selections from the Records of the Mysore Commissioner's Office*, Part V, pp. 8 and 9, paras. 46–53.
[3] *Ibid.*, Part IV, pp. 23–25.
[4] *Ind. Pol. Cons.*, June 29, 1835, No. 75, Serial No. 10.
[5] *India Bengal Despatches* (India Legislature), August 3 (No. 13) of 1842, paras. 15–18.
[6] *Idem* (India Political), September 26 (No. 27) of 1843. See also *Ind. Pol. Cons.*, May 18, 1835, No. 104.
[7] Charles Irving Smith, *op. cit.*, p. 13. The Friend-in-Need Society in the contonment had been started in 1830. The free-feeding houses established by the state, the temples, and mosques, individual charity provided almost an entire relief of poverty.
[8] *The Mysore Administration Report*, 1855–56; also Charles Irving Smith, *op. cit.*, p. 13.

The maharaja ordered the construction of a lying-in hospital at Mysore in the middle of 1841, owing to the frequency of deaths in child-bed; and at the same time he ordered a shed to be built as a shelter for persons waiting to visit.[1]

Corporal punishment, torture, and forced labour were absolutely prohibited. A ryot's cattle, implements, etc., were excluded from the liability to attachment even on a government claim.[2] Even in minor matters Cubbon's kindly nature was always finding expression. When a poligar of Tarikere, Thimma Naik, received a deep sword-cut in being captured, Cubbon's first order on receipt of the report was for the wound to be dressed.[3] A prisoner, discovered to be undergoing his sentence on the top of the most unhealthy Kabbaladrug, was ordered an immediate transfer to the jail at Seringapatam.

(iv) Jails and Prisoners

In the jails under the maharaja's administration "little regard was had to accommodation, or management, and there was no classification of prisoners; whether convicted, accused, or only suspected, they were all confined in the same place; and a special order from the Commissioners was necessary, to abolish a practice which had generally obtained, of working them on the high roads *before trial*,"[4] Nothing was done to correct this evil by the commissioners until 1835. In the cantonment jail there were in August 1834 130 prisoners huddled together in a building suitable for only 65, and the arrangements were "very defective, insecure, and unhealthy. Debtors, criminals, men, women, and children being promiscuously huddled together without classification

[1] *Ind. Pol. Cons.*, July 12, 1841, Nos. 68 and 69.
[2] *Idem*, May 18, 1835, No. 107, Serial No. 1.
[3] *Idem*, January 23, 1835, No. 105.
[4] *The Report on the Civil and Criminal Judicature*, 1838, para. 63.

or the possibility of observing any description of prison discipline, and . . . in many instances . . . punishment for a first or trivial offence . . . becomes the means of exposing the offender to the contamination of association, evil example, and counsel of the most hardened and incorrigible criminals."[1] In July 1834 there were in the petta jail (at Bangalore) 300 prisoners in a single over-crowded hall. "Sickness has in consequence prevailed to a great extent and casualties have been numerous. Criminals, debtors, men and women, are promiscuously mixed, and of late many serious affrays have taken place among the prisoners which the Guards with some difficulty quelled. The present site of the prison . . . is low and the ground around it swampy."[2]

The first reform was proposed in July 1835, for the building of a central jail with a treadmill at Bangalore.[3] The court of directors sanctioned only the jail.[4] The government of India, disagreeing with the court, directed the commissioner to establish the mill at a cost of Rs. 6,000, but to postpone the construction of a jail. Cubbon was ordered at the same time to use a building belonging to the Madras government for the accommodation of prisoners.[5] These were done accordingly.

The next measure was to employ the convicts in such a way as to make their work a matter of "public benefit, general example, and at the same time effective employment of the prisoners sentenced to hard labour."[6] The only question was guard and accommodation. For the guard, sentries were posted in addition to the jail servants, and the accommodation was provided in tents and temporary sheds, "the materials of which are pulled down, carried on, and re-erected as they change their encamping place."[7] As the work which

[1] *Ind. Pol. Cons.*, August 3, 1835, Nos. 65–70.

[2] *Ibid.*

[3] *Ibid.*

[4] *India Bengal Despatches*, September 20 (No. 20) of 1837, para. 10.

[5] *Ind. Pol. Cons.*, February 20, 1837, Nos. 49 and 50.

[6] *Idem*, May 25, 1835, No. 78, Serial No. 13; *idem*, June 1 ,1835, No. 78, Serial Nos. 16–19.

[7] *General Memorandum*, p. 84.

these convicts did was the construction of roads, the European overseers attached to the Madras sappers and miners were appointed to direct their work. The scheme was very successful. The Agumbe pass was opened with the aid of this convict labour.

Dobbs carried the experiment a little farther. He did not employ every able-bodied convict on road work. He made an exception of "Ironsmiths, Potters, Carpenters and intelligent individuals of other classes who have been employed in a workshop under the superintendence of a Government Maistry. These men have executed nearly all the wood and iron work of the Travellers' bungalows in this Division, and have been found very useful in a district almost destitute of handicraftsmen."[1]

The health of the prisoners was looked after by the hakims in all but the cantonment jail where a European doctor was employed. All serious cases were treated by the apothecaries or the assistant surgeon. In 1854 Smith wrote that "the prisoners are generally healthy; the prisons airy and clean. The prisoners are divided into gangs of eight; each day one remains at home to cook for the rest. Their food is rhaggy-flour made into a thick paste, and eaten with pepper-water or curry. There is a small daily allowance of money, which enables them to purchase such articles as are not supplied, a little tobacco, betel, or snuff, and once a week a little meat."[2] The food, whether rice or ragi, weighed 31 ounces, and the cash allowance was 4 pice. Men of different castes cooked and ate their meals separately. There was no work on Sundays, an oil bath being provided on those days for the prisoners. The daily hours of work per man were from sunrise to 3 p.m. The clothing consisted of a country blanket and five yards of head-cloth annually. The death-rate in the jail at Shimoga between 1836 and 1850 was 11·25,

[1] *General Memorandum*, p. 86. The district referred to was the Chitaldrug division of which Dobbs was in charge.
[2] Charles Irving Smith, *op. cit.*, p. 22.

while at Chitaldrug and in the town, fort, and cantonment jails at Bangalore it was 8, 2·5, 0·5 per cent. respectively.[1] Smith believed that, compared with the figures for Mangalore and Madura, these were very favourable.[2] Cubbon also thought so. He remarked that "it is but fair therefore to take an average of the three jails, and the proportion of 80 deaths among 2·756 prisoners in five years appears to be a small one, and to afford proof that out-of-door labour is a healthy mode of employing prisoners in the Bangalore Division."[3]

Discipline was moderately rigorous. The superintendent visited the jails as often as he could. Though whipping was allowed as a punishment for the mischievous, it was seldom needed there.[4] Road-work, the tread-mill, and other work provided deterrent occupations, and the classification of the men increased the chances of reforming the first offenders.

There were eight jails in all, three in each of the Bangalore and the Ashtagram divisions, and one in each of the rest. The road-jails are not included in this number, because, excepting the single permanent camp near Bangalore, the others were temporary and quite close to their principal jails. At Bangalore there were jails in the cantonment, petta, and fort. The thugs were placed in the last, as its locality was better guarded than the others. The three jails in the Ashtagram divisions were situated as far apart as Mysore, Seringapatam, and Hassan; but some time after 1850 the last two were abolished, and the convicts in them were transferred to a new central jail at Mysore. At the same time the jails in the Bangalore petta and fort and at Tumkur and Shimoga were rebuilt on more healthy spots. The new jail at Shimoga was not, however, completed before Cubbon's departure.

It is regrettable that Cubbon's proposal in 1835 for a central jail at Bangalore was not sanctioned by the government of India, in spite of the approval of the court of directors. In the

[1] Charles Irving Smith, *op. cit.*, Appendix XV. [2] *Ibid.*
[3] *General Memorandum*, p. 85, para. 24. [4] *Ibid.*, para. 25.

long run their economy proved short-sighted, because they were obliged to sanction the construction of two smaller jails with a total accommodation for nearly 700 prisoners (excluding the number in the cantonment jail), against about 400 convicts actually in custody.

The cost of maintaining a convict ranged from Rs. 25 in 1835 to Rs. 40 in 1858 per annum. This gave an average of two to three rupees per month. This should be considered low, for it was more than covered by the work that a prisoner did in the same period.

The commissioner had little freedom in jail policy, for improvements meant expense which was never readily sanctioned. In Madras progress was equally slow,[1] and in other parts of India the story was the same.[2] Auckland's resolution on the recommendations of the jail committee of 1838 pleaded financial difficulties as a reason for delay.[3]

[1] *Report on the Madras Records*, by H. H. Dodwell, 1916, Chapter V, paras. 28–31.

[2] (i) *Selections from the Records of the Government of India* (Home Department), No. 52, 1867.
(ii) *Suggestions on Prison Discipine*, by Miss Mary Carpenter, 1867.
(iii) *Miscellaneous Writings*, by Lord Hobart. Indian subjects.
(iv) *Report on the Indian Jails Committee*, 1919–20, Parliamentary Paper, Cmd. 1303, 1921.

[3] *Note on Jails and Jail Discipline in India*, by A. P. Howell, 1868.

The following is an extract from Auckland's resolution:—

"Every reform of prison discipline is almost of necessity attended at the outset with extraordinary expense. To exchange the common herding of all descriptions for careful classification, to substitute a strict and useful industry for idleness or for a light and ill-directed labour, to provide that the life which is irksome should not also be unhealthy, and that the congregation of the vicious shall not be a school of vice, are all objects for the first approach to which buildings must be erected, machinery formed, and establishments and checks upon establishments contrived, and in the perfect attainment and maintenance of which great disappointment has after every effort and expense in many countries ensued. In no country is it likely that greater difficulty will be experienced than in this. For the mere locality of the prison, that which is healthy in one season may become a pest-house by a blast of fever or of cholera in another. For its form—the close yard which is adapted for classification and is not unwholesome in England would be a sink of malaria in India. For food, for labour, and for consort, there are habits and an inveteracy of prejudice and of feeling bearing upon health, and almost upon life, opposing difficulties to the just management of prisons such are not

But so long as the government was determined to preserve law and order against dacoits, gang-robbers, and others, it could not refuse to consider questions of prisoners' accommodation and treatment. That was why Cubbon was able at last in 1850 and after to enlarge the buildings and to improve conditions within them.

(v) Public Works

The most important branch of public works engaging Cubbon's attention was irrigation. His first object was to restore the tanks and anicuts (dams across rivers). It was estimated that there had been more than 20,000 tanks, a dozen important channels (almost all of which lay within the Ashtagram division), and numerous wells (mainly in the Bangalore division). Green, the chief engineer, said that the country offered no fresh scope for the formation of new tanks, "every eligible valley having been appropriated to tanks and tank cultivation long ago."[1] Much money was spent on repairing them, though progress was slow. In 1855, while reviewing the work already done, Cubbon stated that "great numbers of decayed tanks have been restored since the assumption, and there are no doubt many more which could be repaired with advantage, not however at once, but by degrees, as hands become available to cultivate the additional wet land, and markets are found for the surplus produce; and until both are produced by a thoroughly improved system of road communication it seems to me that any very greatly increased expenditure on works of irrigation in a territory circumstanced like this would be

elsewhere to be encountered, and superadded to all this is the absence of fitting instruments for control and management, while it is principally upon a perfect tact and judgment and an unwearying zeal that the success of every scheme of discipline has been found to depend."

[1] *Board's Collections*, Vol. 2672, P.C. 333, Collection No. 59, Enclosure No. 70, p. 46, para. 16.

attended with disappointment."[1] Moreover, the anicuts across the Kaveri and the Hemavati were fully restored.[2]

Cubbon had several important projects in view. They were:—

1. The Marikanive project near Hiriyur.
2. The Nugoo project.
3. The Shimsha project near Maddur.
4. The Hemavati project near Sakleshpur.
5. The Tunga and the Bhadra projects near Shimoga.
6. The Kaveri project near Siddapur.

The Hiriyur scheme fell through for fear of disputes with Bellary on the sharing of the waters of the Hagari;[3] and of the rest, the Nugoo anicut alone was completed in 1861, as Cubbon was not sure of the benefits that would immediately follow their execution. He was afraid of the lack of cultivators on the one hand, and on the other of the reduction in the extent of dry cultivation, which was the main source of grain for the poorer classes.

Bowring's expression, that "what the roads are to the malnad, irrigation is to the maidan," described the two needs of the country. As has been stated, the old irrigation works were completely set in order; but for the most part the roads required entirely new construction. In 1831, according to Dobbs, there was no systematic road-making in south India.[4] Cubbon found this a severe handicap to his schemes of communication within Mysore. In March 1855 he pointed out to the supreme government that "at the period of the construction of these roads, and for long afterwards, it must be remembered that owing to almost the entire want of communications elsewhere, no more was

[1] *Ibid.*, Enclosure No. 69, pp. 28 and 29, para. 5.
[2] The Sriramadevara Katte, the Madhavamantri anicut, for examples.
[3] Dobbs, *op. cit.*, pp. 51 and 52. See also the *Madras Daily Times*, October 26, 1859.
[4] Dobbs, *op. cit.*, p. 44.

required of them than that they should suffice for the internal wants of Mysore, and for the transport of produce to the one highway to Madras. Within the last year or two this state of things is more materially changed."[1] He showed himself as a pioneer in road-making in southern India. He established four classes of roads:—

I. The trunk or imperial line.
II. The main or provincial road.
III. The taluk connections.
IV. The village roads or by-roads.

Only the first and some of the second were metalled. The fourth was created in 1859 in connection with the levy of a plough tax. When the Madras railway was being laid in 1860 feeders to that line were started.

The road system demanded bridge-building. In 1834 there had been only four bridges in Mysore, viz. at Nanjangud, Seringapatam, Sivasamudram, and Closepet. Cubbon added to that number at least six important ones, viz. at Fraserpet, Maddur, Hoskote, Benkipur (Bhadravati), Shimoga, and Hiriyur,[2] while others at Sakleshpur and Harihar were planned but not executed.

Cubbon's reputation, however, stands on his clearing and opening the four passes in the western ghats—via the Agumbe, the Bhoond, the Sampige, and the Periambadi.[3] This may be said to have been hastened by the Canara revolt of 1837; but commercial advantages had an equal share, while the Gajjalahatti pass also might have been improved if the court of directors had been favourable to the idea.

[1] *Board's Collection*, Vol. 2672, P.C. 333, Collection No. 59, Enclosure No. 62, pp. 6 and 7, para. 5.
[2] Dobbs, *op. cit.*, pp. 44–46. *Selections from the Records of the Mysore Commissioner's Office*, 1868, Part VII, p. 2. *India Bengal Despatches* (India Judicial), April 16 (No. 7) of 1845, para. 1. *The Mysore Administration Reports*, 1859–60, para. 50; 1860–61, para. 62.
[3] *India Bengal Despatches* (India Political), August 25 (No. 29) of 1841, para. 110. *The Mysore Administration Report*, 1859–60, para. 49.

Railways were still in their infancy, but when the Madras railway company was unwilling to construct a line joining Jalarpet and Bangalore until Calicut had been connected with Madras, Cubbon protested and persuaded the government of India to order the commencement of the work in 1859.[1]

The establishment of the chief engineer was at first very small. He was assisted by the division superintendents and their revenue subordinates in every piece of work. In order to avoid failures in the work of the lower officials, an engineering assistant and an accountant were allowed to every superintendent.[2] In course of time these proved inadequate, and additional posts were therefore sanctioned. In 1855 Cubbon was seriously thinking whether the whole staff should not be reorganized, when the government of India surprised him with the creation of a separate department for the public works. In November of that year a chief engineer for the province, an assistant, and five executive engineers, corresponding to the five engineering divisions into which Mysore was divided, were ordered to be appointed, the subordinate staff being arranged by the commissioner himself.[3] But the whole department was placed under the direct control of the supreme government.[4]

Thus Cubbon's power was reduced in the matter of public works, and the chief engineer no longer his subordinate but in name. Cubbon was, however, fortunate in having Green as the first chief engineer under the reorganization, and found no difficulty at all in regulating the affairs of the new department. Green's successor, too, was quite loyal to Cubbon, and no rupture arose in Cubbon's time between the commissioner and the chief engineer. The former continued

[1] *The Mysore Administration Reports*, 1855–56, and 1858–59, p. 47.
[2] *Ind. Pol. Cons.*, February 19, 1835, No. 86, Serial No. 8.
[3] *Board's Collections*, Vol. 2672, P.C. 333, Collection No. 59, Enclosure No. 89, p. 164, para. 14. Also *Ind. Pol. and For. Cons.*, April 24, 1857, No. 49, column under "Maramut Establishment Disbursements."
[4] *Ibid.*

to assign the tank works, the repair of roads and anicuts, and other local works to the revenue officials, leaving the drafting of estimates and reports and the preparation of accounts, etc., to the new department.[1] His wisdom is amply proved by the events of 1858, when the heavy downpour of rains threatened the irrigation works with disaster, which was only averted by the promptitude of the revenue officials responsible for their proper maintenance.[2] The later history of this new department was summarized by the secretary of state in 1870. "The Public Works Department," he wrote, "owing to stress of work, and to its machinery being inadequate to the task of keeping so large a number of small tanks in repair, has, during the last fourteen years, allowed many hundreds to fall into ruins."[3]

Cubbon's original system was economical. As labour was scarce, he organized a labour corps known as the khalihaths, employed the able-bodied convicts on roads, and induced the ryots to look after their own tanks by granting concessions on their assessments. But if the ryots refused, they were not forced or otherwise penalized. Between 1835 and 1855, when two passes in the western ghats, two big bridges, and thousands of tank repairs had been finished, only 3·7 per cent. of the gross collections had been expended on public works.[4]

(vi) Agriculture

A few points must be remembered in connection with this study. Firstly, the country is sharply divided into two natural regions, the malnad and the maidan (the hills and

[1] *Ind. For. Cons.*, April 1870, Revenue, Part A, No. 9, Puckle's memorandum, para. 8.
[2] *Ibid.*
[3] *Secretary of State's Despatch* (Irrigation Works), September 30 (No. 77) of 1870, para. 3.
[4] *Board's Collections*, Vol. 2672, P.C. 333, Collection No. 59, Enclosure No. 79, p. 133.

the plains), the former being primarily the western ghats and their eastern ramifications. The south is watered by the Kaveri, the Hemavati, the Shimsha, and the Kapini, and also by the canals drawn from them. The north and the east are comparatively dry, the Chitaldrug division being the driest in the whole country. Secondly, cultivation has always been of three kinds—viz. dry, wet, and garden—the distinction being dependent on the source of water-supply and the crop raised. Ragi, rice, and cocoanut serve as examples of the three respectively. Ragi has always been the staple food of the people, and therefore its cultivation has been the largest of all. Along with jola it is still the main food crop; but inferior food, grains, pulses, and oil seeds are also grown. In 1844 the proportion of the dry to the wet crops was $4\frac{1}{2}$: 1.[1] Lastly, the methods and implements of agriculture have been until lately of the old type. The plough, manure, draught animals, sowing, have been practically the same, leaving little margin for fresh ingenuity except in regard to the manure.

There were in 1834, however, practical questions to be settled, though these were more in the administrative than in the technical sphere. Water was the most important of all. The tanks and the channels required immediate repair. Labour was scarce; with the increase of communications, it became dear too. The high rate of interest, official extortions, and successive failures of rains, had reduced the rural workers' financial resources, and, worse still, placed him under the control of the money-lender (the suttigedar). In earlier times absence of roads and lack of general security left the producer unable to choose his market, while the practice of the government in dividing the crop destroyed all stimulus to work, and tended to keep cultivation at a minimum. The "hunkull," or right of grazing the public cattle on the stubble of private lands, was prejudicial to the

[1] *Report on the Medical Topography and Statistics of the Mysore Division of the Madras Army*, 1844, p. 9.

cultivation of these lands as well as to the preservation of live stock. The "kumri" cultivation[1] in the Manjarabad district destroyed the forests for the sake of a meagre harvest of ragi; this was neither good for the state nor for the peasant.

It was Cubbon's duty to meet these difficulties. He restored the old tanks and channels, and maintained them in good condition. Green, the chief engineer, paid special attention to the fair distribution and economic utilization of the water in every reservoir and canal.[2] Loans of money and grain[3] were granted to the indigent ryots and recovered by instalments. The land-revenue administration was made more rational and popular. The patta system, the principle of khists, the annual jamabandi tour of the superintendent and the occasional inspections of the commissioner, the stricter control over the subordinate officials, and the institution of special revenue courts, went a long way to inspire the ryot with confidence. The government undertook to defend and protect the ryot, but it demanded his co-operation. The abolition of farming the sayer removed the greatest enemy of agriculture and trade; and when this was accompanied by other fiscal reforms and by the construction of roads, it made the sale of produce easier. The government was ever unwilling to tolerate the battayi system beyond what was necessary in the public interests, and, in a sense, induced the more intelligent men to ignore it. The "hunkull"[4] and the "kumri" cultivation were done away with.

Cubbon was liberal in remitting the land revenue in cases of flood, fire, or depredation, and in order to increase the net earnings of the ryot, he abolished a system of vexatious taxes known as the chillerbab[5] (meaning the miscellaneous).

[1] Cultivation on the jungle land, the shrubs being every year burnt down.

[2] *Selections from the Records of the Mysore Commissioner's Office*, 1868, Part VII, pp. 8–16.

[3] Annual statements of receipts and expenditure give exact figures of takavi or agricultural loan. See also Chapter IV, Section (ii), Finance, in this book, p. 197.

[4] *Ind. Pol. Cons.*, April 20, 1835, No. 117.

[5] Appendix C. See the concluding portion.

The live stock of the villages had been anything but satisfactory. Smith observed that "the cattle which supply the villagers with milk are a miserable half-starved race, but little cared for or attended to; they subsist entirely on the waste lands about the villages, and on the stubble grazing after the harvest. The farmers have a very fine breed of bullocks, which they look after with great care, and feed during the dry season with grain and straw; these are much valued as draught cattle, and sell readily for 90 to 100 rupees a pair."[1]

The mortality in cattle was considerable owing to murrain, failure of rain, and ignorance of their owners. It was also partly due to the reservation of all good pasture for the amrut mahal cattle of the honourable company and of the Mysore state. This deprived the poorer classes of the advantage of grazing cattle on those rich lands. But this was a matter beyond the control of the commissioner.

Cubbon encouraged researches into south Indian botany through an agri-horticultural society,[2] started in 1839 at his own instance. In connection with the transfer of the Lalbag in Bangalore, from the maharaja to the society, Cubbon wrote to the government of India in February 1836 that "great public benefit may be expected to arise from this institution, not only in regard to objects merely horticultural and the extension of botanical knowledge, but in the promotion of the agricultural interests of the country, by introductions suited to the climate, amongst which may be enumerated varieties of sugar-cane, cotton, and tobacco far superior to any produced in Mysore, and by affording the people the means of obtaining gratuitous instruction in improved modes of cultivation."[3] Though the society ceased to exist about 1842, its work still went on at the Lalbag, and in 1855 Dr. Cleghorn, appointed to the office of botanical

[1] Charles Irving Smith, *op. cit.*, p. 18.

[2] This society appears to have been a branch of the Agri-Horticultural Society of Madras, started about 1835.

[3] *Ind. Pol. Cons.*, March 28, 1836, No. 104, para. 5.

adviser to the government, was directed to reorganize the experimental work there.[1]

Of all the experiments, those in coffee, sugar-cane, silk, merino, cotton, and indigo were the most important. Chronologically, tea was the first to be tried at the suggestion of the supreme government; after nearly a year, it was declared a failure.[2] At the same time the superintendent of the Chitaldrug division suggested the introduction of Bourbon cotton, Fischer of Salem having volunteered to supply the seed gratis. Cubbon said that he was "willing to give the project every suitable encouragement, and would be glad to see the experiment made in each division."[3] The superintendent of the Ashtagram division fell in with the proposal and wrote that "only the common country cotton is cultivated to a considerable extent in the fine black and red soils of the Tayoor, Sosale-Talkad, Chamarajanagar, and Kalale talooks, and also occasionally in common stony soils in Banawar, Haranhalli, and Govardhanagiri. Much of the cotton land being held on the Battayee tenure, no difficulty is anticipated in prevailing on the ryots to attempt the cultivation (of Bourbon seeds), as the supply of seeds gratis would be a sufficient inducement in the first instance, and the future demand for it will of course depend on the successful issue of the project and the superior price of the article produced."[4] The superintendent of the Bangalore division was not so hopeful, since the soil was unsuitable and the existing stock inferior, but thought that an experiment might be made.[5] In the first year Nagar was the only division reporting success. But to hasten progress, the assessment was withdrawn on cotton crops in the first two

[1] *Ind. Pol. and For. Cons.*, October 17, 1856, No. 186.

[2] *Ind. Pol. Cons.*, September 26, 1836, Nos. 88–100. See also *The Productive Resources of India*, by Dr. J. R. Royle, 1840, p. 277, and *Forests and Gardens of South India*, by Dr. H. Cleghorn, p. 342.

[3] *Ind. Pol. Cons.*, June 29, 1835, No. 57, Serial No. 2.

[4] *Idem*, July 20, 1835, No. 37, Serial No. 3.

[5] *Ibid.*, No. 42.

years of cultivation.[1] In spite of this, however, Cubbon confessed that "cotton which requires a much richer soil than is usually found in Mysore is not yet produced in sufficient quantities for home manufactures."[2] The popular impression in 1844 was that "the Bourbon cotton . . . has succeeded admirably, and not only are the crops far more abundant than those from the common country cotton, but the wool is cleaner, and of a better staple; the plant also possesses the peculiar advantage of growing best in the red soil, which prevails throughout the country, and in a few years it may be expected that Mysore will supply itself with this article, much being at present imported from the ceded districts; the Bourbon cotton already sells in the bazaar at double the price of the country cotton, and its only disadvantage appears to be that it is more liable to be destroyed by insects before being cleaned."[3] Dr. Royle added that "the climate is in general windy and dry, and therefore unsuited to the culture of cotton. Mysore is therefore supplied with what cotton it requires for home consumption from Bellary and other districts. But Mr. Meppen, in his experimental culture of American cotton near Cuddoor [Kadur], stated that 'the cultivation would be a remunerating one, and in a good season would be very profitable'; and though they obtained only about 50 pounds per acre of clean cotton, it was of excellent quality. 'At this place,' he says, 'there are thousands of acres of land fit to grow cotton, either by irrigation or by dry cultivation'; but you must 'encourage the ryots to cultivate it, and purchase the Kuppas from them; gin and pack it on the spot for exportation.' On the western borders of Mysore, that is, in the vicinity of the Western Ghauts, there are situations where the moisture is greater. . . . Indeed, Mr. Simpson, one of the American planters, after some years' experience near Coimbatore, points out the

[1] *Ind. Pol. Cons.*, November 21, 1836, Nos. 63–71.
[2] *Ind. Pol. and For. Cons.*, July 11, 1846, No. 60.
[3] *Report on the Medical Topography and Statistics of the Mysore Division of the Madras Army*, 1844, pp. 8–9.

neighbourhood of the Toombudra and of Hurryhur as apparently well suited in point of climate for the cultivation of American cotton."[1] Lieutenant Ratton also boasted in 1857 that cotton culture was a great success.[2] But despite of all these estimates Cubbon held that cotton cultivation had been a failure. "Although every encouragement has for years been given to the introduction of New Orleans, Sea Island, and Bourbon cotton into the Mysore country, even to the extent of granting land rent free, for five years, the result has given no ground to hope that cotton cultivation will ever be carried to any extent worthy of notice, as every foreign variety has been proved to degenerate in length of staple, and the seed to be covered with down or fur. Little country cotton is grown, as it is found cheaper to import it from the Bellary and Southern Mahratta districts, than to grow it internally for home consumption. In short, except in a few congenial localities, cotton cannot be profitably cultivated in the Mysore country. This is the general belief at present; but after all it may turn out to be unfounded, for in these days difficulties seem to vanish whenever real science is brought to bear on experience and experiment."[3] Bowring assigns the failure to Cubbon's errors in the administration rather than to natural causes. In December 1861 he wrote that he had "made many enquiries regarding the cultivation of cotton in Mysore, and learnt not only that several of the talooks in the northern parts of Mysore still continue to produce considerable quantities of indigenous cotton, but that the New Orleans plant, when tried on a former occasion, by order of the late Commissioner, had produced a very superior staple, specially commended by the Jury of the Great Exhibition of 1851, and that the experiment of cultivating it had been abandoned solely because when the native gin was ascertained to be unequal

[1] *Review of the Measures for the Improved Culture of Cotton*, by Dr. J. Forbes Royale, 1857, pp. 45–46.
[2] *The Madras Exhibition of 1857–58*, p. 4.
[3] *Ind. Pol. and For. Cons.*, May 14, 1858, No. 94.

to the task of clearing New Orleans cotton, Sir Mark Cubbon found that it would not pay Government to maintain an establishment for purchasing and cleaning the quantity then produced, for it would appear that, on the occasion referred to, the Mysore Government monopolized the crop obtained from the New Orleans seed, at a fixed rate, and itself became the exporter or sale agent."[1] In this view Bowring seems to be wrong; he knew little of Mysore when he wrote, and, secondly, he had not gone deeply into the study of the cotton monopoly or discovered whether it had been the cause or consequence of the low production of that article. It is incredible that Cubbon, who sacrificed lakhs of rupees for the promotion of the material welfare of the people, would have been so short-sighted as deliberately to ruin an industry which offered suitable employment and which he desired to foster as much as possible. Probably, the monopoly (if such were established) yielded rather more per pound to the cultivator than it took away from him.

An earnest effort was made to improve silk when the Mussalmans seemed inclined to take up that industry. In 1841 four specimens of silk grown in Mysore were sent to Bengal and found poor of quality through its bad colour and excessive gum. The article was good in itself, but the method of preparation was defective.[2] So, in 1842, a garden for growing the standard mulberry trees suggested by Signor Mutti was established by the government at Bangalore and planted with the St. Helena, China, and Philippine cuttings. Eggs from Chittoor, the Nilgiris, and Bengal were obtained and hatched. The result was a great improvement in silk, but the task of looking after the worms was so difficult that it became doubtful whether the cultivators of Mysore would handle them with sufficient care and intelligence. The subpeshkar of Bangalore was sent to Chittoor to

[1] *Ind. For. Cons.*, January 1862, Part A, Revenue, No. 15, para. 2.

[2] *Some Account of Silk in India*, by J. Geoghegan, 1872, Section VI, para. 1. See also *Selections from the Records of the Commissioner's Office*, 1864, Part IV, pp. 33–34.

be trained in reeling, and on his return appointed superintendent of the government garden. Green devised a splendid reeling machine and taught the workmen how to use it. "So expert did the natives become, that, in 1846, the Calcutta Chamber of Commerce and the Agri-Horticultural Society both reported most favourably on the cleanness, evenness, roundness, and good colour of certain specimens of Mysore raw silk submitted to them; the only objection made being to the excessive fineness in the reeling and want of sufficient twist."[1] In 1850 a firm of brokers in London suggested that "this [Mysore] silk, with care in the getting up, would prove a valuable substitute for many other classes, and from its intrinsic qualities would find a ready sale in this market."[2] But the people were indifferent, because they could sell the whole of the annual produce (which came up to 240,000 pounds.) in the local market and at Madura, Tanjore, Coimbatore, Bellary, and Dharwar. They preferred quantity to quality. Bush cultivation was the most uneconomical, and yet it was continued by private cultivators.[3] The Madras exhibition jury remarked in 1857 that the Mysore silk stuff was cheap, but that its quality was not good. "They added that great attention to . . . dyeing is necessary, the silks also are too narrow. Mysore exhibits no white silks, but looking to the qualities and prices of its coloured fabrics it could certainly take a leading place in a general trade in these."[4]

The extent of Cubbon's achievement in sericulture can be estimated by comparing the works of Dr. Royle and Geoghegan. In his *Productive Resources of India*, published in 1840, Dr. Royle did not notice it at all, while Geoghegan drew attention in 1896 to the special interest of the Madras and Bombay governments in the Mysore sericulture, as seen in their deputing officers to study it. Perhaps Bowring may claim a share in the honour; but it must be remembered that

[1] J. Geoghegan, *op. cit.*, para. 1. [2] *Ibid.* [3] *Ibid.*
[4] *The Madras Exhibition, 1857–58*, Class XIII, Mysore, p. 117.

Cubbon was his forerunner and had struggled hard to establish the industry, and his failures in the course of twenty years led to Bowring's success in half a dozen.

More than any other product, coffee owed its prosperity to Cubbon. It had long grown freely on the western ghats, but it required a large capital as an industry. In 1838, in the Nagar division, it consisted of self-sown plants "growing as close as they could stand, without any fence, and scarcely distinguishable from the surrounding thicket."[1] Until 1875 it was a purely export produce and considered as a source of revenue.[2]

The commissioner could not deal with the industry until 1838, when the question of renewal of the contract with Parry Dare and Co. of Madras for farming the coffee revenue came up for consideration. In that year he took over the whole management into his own hands. The superintendent of Nagar objected to the principle of warum or division of the crop, and preferred a moderate excise, adding that the change would stimulate production of coffee. Cubbon agreed and ordered a levy of Rs. 1 per maund (= Rs. 4 per cwt.), which at that time was a fourth of the value of the produce. As it was felt that, owing to the disadvantages which this rate carried in the general market, it ought to be reduced, the levy was reduced in 1843 to 8 annas per maund. In 1850, owing to a great fall in price, it was further reduced to 4 annas per maund. At that date the excise represented 20 per cent. of the value of the produce. This was certainly heavy; if a light acreage had been substituted, the industry would have benefited more. But as the Indian planters, who formed three-fourths of the whole number, were unwilling to improve their cultivation, and as no survey of lands was as yet possible, an excise was the only mode of taking the produce.[3]

[1] *Selections from the Records of the Commissioner's Office*, 1864, Part IV, p. 30.
[2] *Gold, Sport, and Coffee Planting in Mysore*, by R. H. Elliott, 1894, p. 311.
[3] *Ind. For. Cons.*, January 1879, Revenue, Part A, No. 2.

Cubbon was most interested in attracting labour and capital to this industry,[1] and to a certain extent succeeded in it. Bowring saw in 1863 that there was little unoccupied land fit for coffee.[2] The lands locally termed kans, males, udve, shola, kumri, and kanave had been given away for the asking. Much of this was brought under coffee, but a few of the European grantees obtained possession of land without any intention of planting it at once with coffee, having taken advantage of Cubbon to accumulate estates. But the commissioner, on finding his mistake in 1860, revised their pattas (forms of lease) so as to compel them to plant 500 trees per acre within five years, in default of which the whole or any uncultivated part of their estate might be confiscated.[3] He felt that this new course was "the only measure for checking the tendency which exists, especially in the case of European planters, to obtain a vast extent of land, which they have not the slightest intention nor indeed the means of cultivating, but which they wish to occupy either with a view of keeping other parties out, or from a desire to retain it until it rises in value and the opportunity offers of selling it piecemeal to other individuals."[4] However, the threat seems to have been ignored, nor was it enforced by Cubbon's successor.[5] In 1862–63, "in Ashtagram the average area is given as 933 acres for each European planter, and 6 for each native," and one Middleton owned an estate of 16 square miles.[6]

Bowring complained that there were "heavy arrears of business connected with applications for coffee jungles, registry of grants, issue of puttahs, and settlement of disputed claims, which had accumulated during a series of

[1] *Ind. For. Cons.*, January 1879, Revenue, Part A, No. 2.
[2] *The Mysore Administration Report*, 1863–64, para. 340.
[3] *Gold, Sport, and Coffee Planting in Mysore*, by R. H. Elliott, 1894, pp. 313–314.
[4] *Ind. For. Cons.*, January 1879, Revenue, Part A, No. 2, para. 9.
[5] *The Mysore Administration Report*, 1862–63, para. 222.
[6] *Ibid.*, para. 220.

years, when attention could not possibly be given to the details of the subject."[1] He should have admitted, however, the difficulty of spade-work.

In March 1840 Cubbon introduced the industry of merino-farming. The existence of nearly 20,000 sheep among the state flocks and herds, a favourable climate, and the popular interest in sheep-breeding suggested the plan to his mind. He proposed, therefore, to sell the bulk of the existing stock and to buy for Rs. 4,000 fifty merino rams.[2] Before he carried out this proposal, the Madras government requested him to take charge of the experimental sheep farm which they had established in 1837 at Hosur in the Salen district. Cubbon agreed and removed the sheep to the Chitaldrug division, where there was suitable climate and pasture. The flock consisted of 13 merino rams, 99 country rams, 8 merino ewes, and 571 country ewes.[3] But the transfer proved to have been too late and the flock was too much affected by disease to be of value. A new flock was therefore purchased in the last quarter of 1841 for Rs. 4,800 from a man named Morris of Madras.[4] This flock was the property of the Mysore government, and the money was found from the surplus revenues.[5] The new farm was situated at Bellur in the Nagamangala taluk. Three or four rams were imported annually from Sydney. In 1846 the commissioner reported that "the merino breed of sheep is succeeding better in this Territory than in any part of the Presidency of Fort Saint George."[6] In November 1847, again, he said that "notwithstanding the difficulties and disappointments experienced during the first few years, the experiment is at length in a fair way of proving successful, and affording the means of diffusing the merino blood throughout the south of India. From 100 to 150 half-bred merino rams can, without any

[1] *The Mysore Administration Report*, 1863–64, para. 343.
[2] *Ind. Pol. Cons.*, March 23, 1840, No. 114.
[3] *Idem*, July 27, 1840, No. 59.
[4] *Idem*, December 27, 1841, Nos. 68 and 69.
[5] *Ibid.*
[6] *Ind. Pol. and For. Cons.*, 1846, No. 60.

inconvenience, now be spared for distribution in other districts."[1] The plan was approved. From this date, therefore, rams were sent to the Bellary, North Arcot, Salem, and Coimbatore districts. In 1853 twenty-five rams were sent to the Panjab. In 1854 there were about 6,000 sheep in Mysore with merino blood in them. At London the wool fetched 1s. 6d. per pound, against 4d. or 5d. per pound for the country wool.[2] The experiment was thus a thorough success. "The principal difficulty appears to be the cleansing the fleece from the penetrating spear-grasses with which the pastures of Southern India abound."[3]

The Otaheite sugar-cane was successfully grown as early as August 1836 in the Seringapatam and other taluks. This gave a stimulus to other experiments in sugar industry. A factory was established, probably with Cubbon's approval, at Seringapatam by a company of Europeans and Mysoreans.[4] The export of sugar and jaggery increased from 180,000 maunds in 1837 to 300,000 maunds in 1842.[5] The chief buyers were the Nilgiris and the military stations on the West Coast,[6] the reason for small local consumption being the prejudice against the use of blood in the process of its purification. The extent of cane cultivation also increased, and Cubbon said in 1844 that "it would be difficult to assign a limit to the growth of sugar in Mysore, for the climate and soil seem well adapted, and it is a favourite cultivation with the farmers,"[7] and again in 1855 that "its [the factory at Seringapatam] operations appear only limited by the quantity of fuel that can be obtained."[8] The success was so great that a sixteenth of the total revenues of the Bangalore division was derived from sugar alone.[9]

[1] *Ind. Pol. and For. Cons.*, November 20, 1847, No. 31.
[2] Charles Irving Smith, *op. cit.*, p. 19.
[3] *General Memorandum*, p. 49.
[4] *Ibid.*, p. 48.
[5] *Ind. Pol. and For. Cons.*, February 10, 1844, No. 261, para. 9.
[6] *Idem*, February 17, 1844, No. 6, para. 3.
[7] *Idem*, February 10, 1844, No. 261, para. 9.
[8] *General Memorandum*, p. 49.
[9] *Ind. Pol. and For. Cons.*, February 10, 1844, No. 261, para. 10.

In 1846 the government of India sent some cuttings of China sugar-cane,[1] at the instance of Dr. Royle, who wrote that he found "mention made of a species of sugar-cane, originally imported from China, the introduction of which into Mysore from the peculiar property it is said to possess of resisting the ravages of the white ants and jackals, as well as being more productive and lasting, would I conceive be attended with great advantage to the country."[2] The experiment succeeded. The Mauritius variety was, however, the most useful, and supplanted the inferior cane of the country almost everywhere.[3] In addition to these varieties, Smith mentions the successful introduction of the South Sea variety.[4] The case of cane illustrates beyond all doubt that the cultivator of Mysore was not prejudiced against beneficial changes in agriculture, and was well alive to his interests.

Indigo, tobacco, sago, potatoes, hops, and fruit also received the special attention of the commissioner. In 1858 an indigo factory was established at Moodeecoontsy in the Chitaldrug division.[5] The chief buyer of tobacco was Canara.[6] The commissioner advanced money in 1835 to the collector of the Canara for purchasing tobacco from Mysore and also provided facilities for its rapid transport. Sago in the Ashtagram and Nagar divisions[7] and potatoes in the Bangalore division were plenty, the latter being praised by the botanist, Dr. Roxborough.[8] The journals of the Calcutta

[1] *Ind. Pol. and For. Cons.*, August 8, 1846, No. 12, para. 3.

[2] *Ibid.*

[3] *Idem*, July 11, 1846, No. 60. See also the *Selections from the Records of the Commissioner's Office*, 1864, Part IV, p. 33, para. 83; and Charles Irving Smith, *op. cit.*, p. 19.

[4] Charles Irving Smith, *op. cit.*, p. 19.

[5] *The Mysore Administration Report*, 1858–59, para. 64.

[6] *Ind. Pol. Cons.*, June 1, 1835, No. 65; *idem*, September 5, 1836, Nos. 62–77.

[7] *Idem*, November 23, 1835, No. 82. *The Report on the Medical Topography and Statistics of the Mysore Division of the Madras Army*, 1844, p. 24.

[8] *The Madras Journal of Literature and Science*, 1835, Vol. IV, p. 409.

and Madras agri-horticultural societies and the newspapers of the day published good accounts of what was done to improve the fruit culture in Mysore outside the Lalbag in Bangalore.[1]

Forest administration did not escape the attention of government for the sake of sandalwood, timber, and fuel. The management was left entirely to the superintendents, whose methods were, however, not uniform.[2] So far as the commissioner was concerned, he appreciated the value of forests, and attended only to general measures. In 1846, for instance, he tried the growth of the sissoo in Mysore soil[3] and perhaps found it suitable. In 1855–56 he planted teak in the Lukwalli forest on the banks of the Tunga and the Bhadra rivers.[4] About 8,500 seedlings were planted.[5] He issued orders that teak, blackwood, and other valuable trees should not be cut down without the government's permission, as they were the property of the government.[6] But he seems to have done nothing more, though "the Commissioner, however, is sensible that much remains to be done for the proper development of the resources of these forests."[7] The superintendents, on their part, rented out the forest products, leased out tracts, gave distillers free access to the "babool" bark and the "thungadee" tree, collected a nominal seigniorage on bamboos, "bastard" timber, and such other wood for building purposes from the regular merchants, and levied a small fee on the fuel or wood collected for agricultural purposes.[8] Each superintendent acted in his own way. The result was that good timber was sometimes stolen and the forests were to some extent denuded,

[1] See also the *Treatise on the Culture of the Red Rose, Strawberry, Brazil Gooseberry, Peach, Mango, and Grape Vine*, by Dr. W. Ingledew, 1837, Madras.

[2] *The Mysore Administration Report*, 1863–64, para. 370.

[3] *Ind. Pol. and For. Cons.*, August 8, 1846, No. 12, para. 2.

[4] *The Mysore Administration Report*, 1855–56.

[5] *Idem*, 1862–63, para. 239, Forests.

[6] *Idem*, 1855–56, Forests.

[7] *Ibid.*

[8] *Idem*, 1863–64, paras. 369, 381, 382, 384, and 387.

entailing a loss of government revenue and the sacrifice of large public interests. The absence of accurate accounts[1] rendered the matters worse.

There were some defects which might have been avoided. It was well known that forest fires were much worse when jungle-wood was not stacked up and brushwood was not cleared, yet no attempt was made to minimize this evil.[2] Certain tribesmen were in the habit of carrying on kumri cultivation in spite of orders against it;[3] and the responsible government officials pleaded distance and the difficulty of dealing adequately with these people. Smuggling of the forest produce was a regular feature on the frontier, stimulated perhaps by the misunderstandings between the Madras and Mysore governments on the question of certain boundary lines.[4] Money issued for felling trees and carrying them to the depots only reached overseers and contractors instead of the coolies. In short, the management of the forests was anything but profitable to the government, and, in consequence, the income never went above a lakh of rupees except in the last few years of Cubbon's rule.

Until the middle of the nineteenth century forest conservancy was unknown even in British India. The influence of trees on rainfall only began to be discussed in India about 1850. In 1855 the Madras government appointed Dr. Cleghorn to the charge of its forests. Cubbon seized this opportunity to discuss the Mysore forests informally with him, persuaded him to accept the responsibility for them also, and then finally obtained the formal consent of the supreme government to his arrangements.[5] In 1857 Dr. Cleghorn entered on his duties as the conservator of forests in Mysore. More or less at the same time an assistant con-

[1] The trees were not numbered.
[2] *The Mysore Administration Report*, 1862–63, para. 236.
[3] *Ibid.*; also *Forests and Gardens of South India*, by Dr. H. Cleghorn, pp. 24, 132 and 136. *Supra*, p. 104.
[4] *The Mysore Administration Report*, 1858–59, para. 67.
[5] *Idem*, 1855–56, Forests.

servator was appointed to a small tract in the western part of the Ashtagram division.[1] As Dr. Cleghorn was conservator for both Mysore and Madras, the duties of his assistants, wherever they were, were made similar, and, more strikingly, in the case of the assistants of Mysore and Malabar and Canara, their work was placed on a co-operative basis.[2] Financially this plan was beneficial, but in other respects it was attended with difficulties.

(vii) Industries and Commerce

The manufactures consisted of woollen and cotton carpets, silk shawls, scarfs and handkerchiefs, cotton cloths, coarse blankets, iron and steel, lacquered toys, steel wire, felt, leather, sugar, sugar-candy, salt, and nitre. There were several smaller ones, such as oils, brass goods, glass, etc.[3]

Cotton and iron goods were made almost everywhere. Steel was produced on a small scale at Holehonnur in the Nagar division,[4] and in some of the taluks of the Chitaldrug division, e.g. Chitaldrug, Mattode, Madhugiri, and Chennarayandrug, and employed in the manufacture of swords, daggers, and knives.[5] In 1855–56 107,003 maunds of iron were produced; of this 42,681 maunds, valued at Rs. 65,181, and 3,354 maunds of steel, valued at Rs. 10,985, were exported.[6] In 1858–59 114,000 maunds were produced, of which 76,000, valued at Rs. 150,000, and steel to the value of nearly Rs. 30,000, were exported.[7] In 1863–64 88,720 maunds of iron were produced only for local consumption.[8]

[1] *The Mysore Administration Report*, 1856–57, 1857–58, Forests.
[2] *Idem*, 1862–63, para. 238.
[3] Charles Irving Smith, *op. cit.*, p. 21.
[4] L. B. Bowring, *op. cit.*, p. 164.
[5] *The Selections from the Records of the Commissioner's Office*, 1864, Part VI, pp. 22 and 23.
[6] *The Mysore Administration Report*, 1855–56, Mining.
[7] *Idem*, 1858–59, para. 71.
[8] *Idem*, 1863–64, para. 394.

Cubbon thought that if sufficient fuel and skill were available, Mysore could be made a considerable iron-producing and exporting country.[1] Cotton goods were coarse and cheap, and the demand for them was steady and effective. But the prospects of the industry were poor, and nothing could be done. At first the taxes[2] were too heavy; and later Manchester competition arose. In 1862–63 Bowring reported to the supreme government that the dearth of cotton had thrown weavers out of employment, and that the income from the loom-tax had gradually declined (Rs. 90,000 in 1860–61, Rs. 85,000 in 1861–62, Rs. 84,000 in 1862–63, and Rs. 80,000 in 1863–64).[3] A survey of the cotton imports into Madras, on the other hand, showed an increase from year to year.[4] Captain Macdonald wrote in 1862 that "this class of Hindus [i.e. the weavers] is considerable in Mysore. Bangalore is supposed to have once contained 12,000 looms, but there is only a third of that number now in operation. This decrease is chiefly attributed to European manufactures being imported into Mysore at lower prices than the same quality of cloth can be produced on the spot. Many weavers have left the large towns and gone into the interior, since every necessary of life has become extremely dear."[5]

The production of sandal oil was revived in 1835[6] under the control and supervision of the government. The system was the same as in the days of Purnayya. The contractor was granted a free supply of refuse wood, and a full supply at fixed rates of selected qualities. The tax was levied according to the number of stills and determined by open competition. One of the conditions was that the work should be carried on at the taluq headquarters, and not at any

[1] *The Mysore Administration Report*, 1855–56.
[2] Not specially on the cotton industry, but generally on all. See Appendix C.
[3] *The Mysore Administration Report*, 1862–63, para. 90.
[4] *The Statement of Madras Imports and Exports*, 1850–59.
[5] *A Descriptive Sketch of the Various Tribes and Castes in the Province of Mysore*, by Captain H. C. Macdonald, 1862, p. 4.
[6] *Ind. Pol. Cons.*, May 11, 1835, No. 61.

remote place which could not be easily visited. Stills were first opened in the Sagar, Sorab, and Shikaripur taluks in the Nagar division and in the Bettadapur and the Krishnarajakatte taluks of the Ashtagram division.[1] But Cubbon refused to permit the establishment of any stills in inams and jagirs on the ground that "were the privilege . . . granted to Yellandoor, it could not reasonably be refused to other jaghirs, nor could it be extended to the whole [country] without causing the destruction of all sandal in the neighbourhood of them."[2]

It was not in Cubbon's power to found or close down the industries of the country. He was sometimes rendered helpless by the course of events over which he could have no control. For example, the abolition of the company's leather and timber factories at Hunsur and Seringapatam involved a loss of capital and enterprise to the state as well as the decline of a flourishing industry; while the command of the supreme government to admit sea-salt free of duty into Mysore seriously affected the earth-salt manufacture within it, ruining the semi-barbarous producers and affecting the health of the cattle.[3]

The principal exports were grain, hides and horns, sugar, carpets, cotton and silk cloths, cumblies, vegetable oils, coffee, tobacco, betel, opium, wool, sandalwood, cardamoms, catechu, some resins of the hill country, lac, honey, wax, and timber. In 1841–42 Madras imported from Mysore bangles, betel, castor oil seeds, cattle, checoys, chillies, coffee, dyes, drugs, cocoanuts, tamarind, grain, jaggery of dates, iron, opium, oils, raw silk, sugar, leather, sandalwood, pepper, sealing-wax, tobaccco, beeswax, cumblies, and sundries.[4] The Canara and Bellary districts bought generally

[1] *Ind. Pol. Cons.*, November 2, 1835, No. 114.
[2] *Idem*, February 20, 1837, Nos. 51–63.
[3] *Ind. For. Cons.*, 1874, Revenue, January, Part A, No. 5.
[4] *The Tabular Statement of the Commerce of the Madras Territories*, 1842, Imports from Mysore, Table No. 73, p. 49.

more than the Coimbatore and Madras districts. Hyderabad purchased sugar, opium, and grain. Bombay bought sandalwood and coffee; and Dharwar took cocoanut, iron, steel, tobacco, and silk.[1]

The chief imports into Mysore were: (1) from Madras: salt, woollens, cattle, dried fruits, drugs, dyes, grain, horses, jaggery, liquors, metals, oils, cotton piece goods, provisions, spices, and sundries;[2] (2) from Dharwar: cotton twist, oil seeds, Persian dates;[3] and (3) from the ceded districts: cotton goods, silk, carpets, coarse blankets, indigo, tobacco, chillies, cattle, and cummin seeds.[4]

Within the province there was a big exchange of goods, the malnad products being sold in the maidan, and vice versa. Weekly markets and annual fairs were occasions when, along with retail, wholesale transactions were carried on. Siralcoppa, Nyamati, Birur, Basawanahalli in the Nagar division; Kenchamman Hosakote in the Manjarabad district; Gubbi, Tiptur, and Davangere in the Chitaldrug division; Bangalore in the east; and Mysore in the south, were the great emporia of trade. The routes by which the goods for these markets passed were known as the baramargs or high roads. Hundis or bills of exchange were in considerable use.[5] The construction of roads accelerated the pace of commerce by substituting wheeled traffic for pack bullocks and coolie transport. But the railway between Madras and Bangalore made the coffee trade move towards Madras, and stimulated the import of sea-salt from Madras rather than from Mangalore.

[1] *The Selections from the Records of the Commissioner's Office*, 1864, Part IV, para. 115; and Part VI, para. 64.

[2] *The Tabular Statement of the Commerce of the Madras Territories*, 1842, Exports to Mysore, Table No. 74.

[3] *The Selections from the Records of the Commissioner's Office*, 1864, Part IV, paras. 116 and 117; Part VI, para. 64.

[4] *Ibid.*

[5] *Ibid.*, Part IV, para. 119; Part V, para. 64; and Part VI, para. 64.

(viii) Famine Relief

The following account of the seasons may help to throw some light on the nature of the famines during Cubbon's time in Mysore. "The first year of the commission [1831–32] was not a favourable one. The second was one of excessive drought, the effects of which extended to the third year, while during this whole period the western districts were either much disturbed or in actual rebellion. The fourth and fifth years were comparatively favourable."[1] Smith observed that in 1832–33 there was a famine in southern India with a frightful loss of human life; but in Mysore only there was acute scarcity, although "the people, impoverished by previous exactions, were driven to the extremes of misery, even to selling their children, or giving them away to save their lives."[2] The season in 1838–39 yielded only half a crop of ragi.[3] From 1842–43 to 1845–46 (inclusive) the crops were poor. Prices were rising, and cattle mortality—189,000 in the Mysore district alone—was appalling. Smith noted that there was then no famine or loss of human life, and that the people were able to pay the increased price of grain.[4] Again, from 1852–53, when only the north-east monsoon failed, till 1854–55 (inclusive), when the south-west monsoon was a total failure, the season was most trying. In the latter year a great number of cattle died, the wet crops failed, the small tanks dried up, and the larger ones lost much water, prices rose, and the wage-earners suffered severely.[5] Yet there was no loss of human life. In 1853 and 1854 the worst sufferers were the inhabitants of the Bangalore and Chitaldrug divisions.[6] Yet they had at least three years' supply of ragi

[1] *Ind. Pol. Cons.*, January 31, 1838, No. 38, para. 10.
[2] Charles Irving Smith, *op. cit.*, p. 32. See also *The Mysore Famine*, 1876–78, by C. A. Elliott, Chapter II, para. 2, p. 13.
[3] *Ind. Pol. Cons.*, July 6, 1840, No. 87, para. 8.
[4] Charles Irving Smith, *op. cit.*, p. 23.
[5] *Ind. Pol. and For. Cons.*, October 3, 1856, No. 164.
[6] *Ibid.*; also *idem*, August 4, 1854, No. 47, para. 14.

in their grain pits and abundance of straw. They were able not only to feed themselves but also supply others with food. "The people of Mysore were thus saved from the sufferings which fell upon the adjoining district of Bellary."[1] Again, the seasons 1856–57 and 1857–58[2] were poor, the north-east monsoon failing in the first and the south-west monsoon in the second year. Thus it is evident that there was no severe famine causing loss of human life at any time. Morison, Cubbon's predecessor, had faced one in 1832–33,[3] and Cubbon therefore knew what a famine would be. The greatest problem which he had to tackle was scarcity of foodstuffs. But he had solved it quite early in his administration in a variety of ways. The waste of grain caused by the moving troops was definitely ended. The abolition of grain duties and the network of new roads helped to distribute ragi and rice wherever they were wanted.

The scarcity of 1854–55 was the worst that Cubbon saw. He feared that Mysore then might really fall into the grip of famine. So even before the distress had become acute he authorized the superintendents "to increase the parties employed on the public works to any number that might be deemed necessary to relieve the people. In consequence of this, larger gangs were employed on the roads in several places, especially in the Chitaldrug division, but the extent to which this was carried was so managed that the parties were still small enough to be readily looked after, and the amount to be disbursed in this way was not unfairly represented by the value of the work performed."[4] This was a policy of "let-alone" which the government of Madras had adopted in January 1833. They had declared that "when there is a deficiency of the necessaries of life in any country,

[1] *Ind. Pol. and For Cons.*, October 3, 1856, No. 164. See also Dobbs, *op. cit.*, p. 47; Charles Irving Smith, *op. cit.*, p. 23.
[2] *The Mysore Administration Report* for 1856–57 and 1857–58.
[3] *The Mysore Famine*, 1876–78, by C. A. Elliott, Chapter II, para. 2.
[4] *Ind. Pol. and For. Cons.*, October 3, 1856, No. 164.

the only method of counteracting the evils resulting from it is to diminish so much as possible their consumption. This is effected by high prices, better than any other measures . . . whereas the interference of government in such emergencies either by fixing a maximum of price or by throwing a quantity of grain into places which would not receive it in the ordinary course of mercantile speculation, disturbs the natural current, by which, where the trade is free, the demand of any commodity is sure to meet, as far as circumstances will allow, with a corresponding supply, and has a tendency (which it is to be feared has too often been realized amongst the native states) to convert a scarcity into one of absolute famine."[1]

It is clear that the commissioner had no need, even at the worst moment, to interfere with the trade of the country. The merchants secured fair prices for their stock and the consumers procured a fair supply of provisions in a time of trial. The class that really suffered want was that dependent on fixed money incomes. But it seems probable that free labourers got a rise in their wages and that the servants of the government had to subsist on a diminished supply.

D. CUBBON'S WORK AS TRUSTEE FOR THE MAHARAJA AND OTHERS

Cubbon was enjoined by Bentinck and his successors to allow the maharaja the comfort and dignity due to his situation, and also to secure his co-operation in the management of the state. Cubbon adhered closely to this advice. He paid the annual stipend and the fifth share of the net revenue due to the maharaja quite regularly. He ordered the amildar of the Mysore taluk to help the palace servants to procure supplies. He exempted all household goods of the maharaja from customs duties.[2] So long as a separate

[1] *The Madras Journal of Literature and Science*, Vol. IX, p. 72.

[2] *Ind. Pol. Cons.*, August 29, 1836, Nos. 58–61.

Resident was appointed, Cubbon treated him with every mark of respect, as a symbol of the maharaja's dignity, in spite of personal difficulties; and he conciliated the palace officials, the relations, and dependents of the maharaja, and even his creditors. He refused to accept the services of Casamajor's sheristadar, Chowdayya, solely on the ground that he might be hostile to the interests of the maharaja.[1] On the other hand, he met the wishes of the maharaja by granting a pension to Dr. Lewis,[2] who had been the apothecary of the "Rajah's hospital" at Mysore since its establishment, by exempting the maharaja's people from attendance at the government courts,[3] and by admitting a representative of the maharaja to the commissioner's office to watch his master's interests.[4]

The maharaja, in his turn, was most cordial to the commission.[5] He was ever deeply attached to the hand that had placed him on the throne. He gave therefore his bungalow known as the Old Residency for a government office,[6] made a gift of the Lalbag in Bangalore to a botanical society,[7] supported education and health in the capital,[8] and parted with the amrut mahal without a moment's delay.[9] He co-operated with Cubbon in 1857 in preserving law and order within the state.[10]

But one important note should be added here. While he held Cubbon in high esteem as a man, he was jealous of him

[1] *Ind. Pol. and For. Cons.*, June 21, 1843, No. 241. See also the *Report of the Insurrection Committee*, 1833, paras. 101, 104, and 105; also *Ind. Pol. Cons.*, January 23, 1835, No. 91.

[2] *Ind. Pol. Cons.*, January 23, 1835, No. 88. See also all financial statements.

[3] *Idem*, September 24, 1834, No. 80; also *idem*, September 28, 1835, No. 76.

[4] *Idem*, February 22, 1841, Nos. 72 and 74.

[5] For instance, see *idem*, November 21, 1838, No. 161; *idem*, July 10, 1839, No. 84.

[6] *Idem*, August 2, 1841, Nos. 127–129; and *idem*, March 21, 1842, No. 55.

[7] *Idem*, June 27, 1836, Nos. 65–67.

[8] *Idem*, January 23, 1835, No. 88; also *idem*, February 1, 1843, No. 103. See *supra*, pp. 84 and 93 respectively.

[9] *Idem*, March 23, 1840, Nos. 104–113, and No. 122.

[10] *Ind. Pol. and For. Cons.*, January 21, 1859, No. 171.

as a commissioner, and would not see eye to eye with him in his public measures. Something of this attitude was due to the counsels of Stokes the Resident, Arapoor Basappaji Urs, Seebiah, Venkatappaji Urs,[1] and Vanderlowen (an English writer). Cubbon succeeded in separating the maharaja from them. Though the maharaja was not so thoroughly opposed to him later on, he was ever unwilling to recognize the full extent of Cubbon's authority. This was perfectly natural, as the maharaja's sovereignty over Mysore had never been denied and as his restoration was believed to be only a matter of time.

Cubbon extended his support to the Residency also. He was courteous, prompt, and helpful to it at every stage. The government of India had been bent upon reducing it to the second grade, and, with that object, transferred some of its financial duties[2] and the entire management of Coorg to the Mysore commissioner.[3] They also reduced the salary of the Resident and the strength of his establishment. This irritated the incumbents, and disposed a person like Stokes, who was the Resident between 1836 and 1842, to be quarrelsome. It was felt that the Residency might become a powerful standing opposition to the commission itself. For instance, Stokes attempted to interfere with the payment of the maharaja's debts, which Cubbon considered to be his own business.[4] After disputes lasting for over six years, the court of directors, upon the proposal of the governor-general, agreed to the abolition of a separate Resident and to the transfer of his duties to the commissioner. Cubbon assumed these duties on January 1, 1843.[5] This change was not

[1] *India Bengal Despatches* (India Political), February 14 (No. 6) of 1849; also *Ind. Pol. and For. Cons.*, September 14, 1844, No. 181.
[2] *Ind. Pol. Cons.*, May 4, 1835, No. 66.
[3] *Idem.*, December 14, 1835, No. 94.
[4] *Ind. Pol. and For. Cons.*, September 14, 1844, Nos. 110 and 161; *idem*, April 5, 1843, Nos. 123; and *idem*, February 3, 1844, No. 277.
[5] *Ind. Pol. Cons.*, December 28, 1842, Nos. 88–90. See also *idem*, January 25, 1843, No. 118; and *idem*, February 1, 1843, No. 108.

agreeable to the maharaja,[1] but was certainly good both for him and his state.

Cubbon had to preserve religious institutions intact. There were nearly 13,000 of them in and beyond[2] the state. Some of the duties connected with them were personal, as in the cases of ceremonies, car-festivals, and feeding brahmans. In the normal course of events, only Indian officials discharged these duties, in general, the amildars of taluks. But until a right of conscientious objection was conceded by the supreme government,[3] European officials were on extraordinary occasions bound to superintend them. Other duties in this connection were less objectionable. The commissioner had only to provide the institutions with the usual grants,[4] to sanction important works,[5] and to attend to complaints.[6] This responsibility was, however, more serious than the other; and so Cubbon made his head sheristadar practically the controller of all affairs connected with religion, reserving to himself as usual the privilege of intervention.

The Hindu institutions had been of three kinds: the temples, maths, and free-feeding houses. Of the temples, some had merely to be preserved from decay, while others demanded funds for the maintenance of worship. The former, of course, proved to be cheaper than the latter, as the commissioner compelled every great temple like the one at Nanjangud[7] to depend on its own resources for repairs,

[1] *India Bengal Despatches* (India Political), November 6 (No. 45) of 1844, para. 11.
[2] *Ind. Pol. and For. Cons.*, June 11, 1858, No. 117.
[3] *Ind. For. Cons.*, General, Part A, October 1866, No. 38, para. 3; and No. 39, para. 3.
[4] *Ind. Pol. and For. Cons.*, November 19, 1858, No. 308. See annual financial statements.
[5] *Idem*, August, Part A, Nos. 30–32.
[6] *Ind. Pol. Cons.*, May 4, 1835, No. 72.
[7] *Idem*, June 1, 1867, No. 67. See also *idem*, April 27, 1835, No. 86. Compare with *Ind. For. Cons.* (Financial), Part A, September 1877, Nos. 5 and 6.

ceremonies, etc.,[1] and only made grants to the smaller ones.[2] The maths, which had been accustomed to lavish concessions from the maharaja, claimed them from Cubbon also. But Cubbon granted them only the customary dues in money, sandalwood, and exemption from a few customs duties, together with the payments of arrears.[3] In 1848–49 the Sringeri swami was paid nearly Rs. 12,000 against his claim up to October 18, 1831.[4] The Udupi maths got their shares of sandalwood which the maharaja had delayed sending to them.[5] Cubbon permitted the same military guard,[6] public ceremonies, and civic receptions for swamis on tour as they had been accustomed to under the maharaja.[7] The free-feeding houses were maintained as of old[8] at an average cost of Rs. 50,000 per annum.[9] A few of them were situated at Benares and Tirupati.

The endowments of the mosques were about Rs. 90,000 annually,[10] besides Rs. 10,000 or Rs. 12,000 spent by the Madras government on the tombs and mosques of Seringapatam,[11] and also the sums occasionally spent by the family of the ex-sultan.

[1] *Ind. Pol. Cons.*, November 30, 1835, No. 72; *idem.*, August 31, 1835, No. 23.

[2] *Idem*, May 11, 1835, No. 61; *idem*, May 18, 1835, No. 93; also *idem*, July 25, 1834, No. 87.

[3] *Idem*, May 4, 1835, No. 72; also *idem*, July 27, 1835, No. 116; *idem*, September 28, 1835, No. 86; *idem*, November 30, 1835, No. 76; *idem*, July 4, 1836, Nos. 60–74; and *Ind. For. Cons.* (General), Part A, September 1868, No. 12.

[4] *Ind. Pol. and For. Cons.*, June 14, 1850, No. 301.

[5] *Ind. Pol. Cons.*, July 27, 1835, No. 116.

[6] *Idem*, May 9, 1836, No. 75–88; also *idem*, July 25, 1838, No. 74; *idem*, October 30, 1839, No. 47.

[7] On February 22, 1838, the maharaja wrote to the Parakalaswamy that "The Governments of the British and ourself are identical, and whatever honours were granted by us will be continued by the British Government. . . . We wish to impress this fact firmly on your Holiness' mind."

[8] *Idem*, May 11, 1835, No. 64; also *ibid.*, No. 66; *idem*, June 1, 1835, No. 87.

[9] See annual financial statements.

[10] *Ibid.*

[11] *Ind. Pol. and For. Cons.*, June 11, 1858, No. 117, para. 3.

As Mysore was essentially a Hindu state, certain Hindu observances had to be provided for by the governors. The records of offices were officially worshipped during every dasara.[1] All the public servants had to be paid a bonus during the Ganapati festival.[2] Officials proceeding to Benares, Rameswaram, and Tirupati on pilgrimages had to be assisted. In time of famine[3] or sickness, suitable prayers had to be arranged for.

Local customs, such as the durbar for the sayer contractors in the Nagar division, were also continued.[4]

When the company's troops were on the move from Madras, Bangalore, or Bellary to Mangalore or Mercara, Mysore lay on their route, and the health and comfort of the men depended much on the goodwill of the local government. Or, when changes were made in the places garrisoned within the province, additional facilities would be required. In all these respects Mysore did her best. Cubbon paid the subsidy regularly, sometimes even in advance. He ordered the amildars to continue the old practice of furnishing marching contingents with adequate supplies at reasonable prices.[5] He organized, at the company's expense, a good system of guides,[6] bearers,[7] and postal runners.[8] He continued all the privileges which had been granted by the maharaja to the company's amrut mahal,[9] and refrained from taxing the articles needed for the sepoy's equipment.[10]

At the same time he insisted on the military officers treating the inhabitants fairly and decently, paying dues on the spot and marching through the territory without damage to its people. For instance, he interfered when a party com-

[1] *Ind. Pol. Cons.*, November 30, 1835, No. 81.
[2] *Idem*, November 16, 1835, No. 72.
[3] *Idem*, July 25, 1834, No. 87; also *idem*, February 19, 1835, No. 83.
[4] *Idem*, June 29, 1835, No. 102.
[5] *Ten Years in India*, by Captain Albert Hervey, 1850, Vol. II, p. 32.
[6] *Ibid.* [7] *Ind. Pol. Cons.*, May 4, 1835, No. 78.
[8] *Ind. For. Cons.* (Revenue), Part A, January 1864, Nos. 19–21.
[9] *Ind. Pol. Cons.*, August 31, 1835, No. 26.
[10] *Idem*, December 14, 1840, No. 101.

mandeered carts and bullocks,[1] and required the release of a boy who had been carried off by an officer to Bellary on a charge of theft.[2]

Seringapatam continued to be the company's territory, though some of the buildings in it had been exchanged with the consent of the maharaja for those in the Bangalore fort.[3] Its management had been originally in the hands of the Resident, but it had been rented out for Rs. 50,000 per annum to the maharaja some time before the establishment of the British commission. This arrangement continued under Cubbon and his successors. There was nothing in the island to yield an income equivalent to the rent.[4] The net loss sustained by the agreement was Rs. 23,800 in 1834–35 and Rs. 30,000 in 1860–61. This was mainly due to depopulation, in spite of efforts to make the town an industrial and administrative centre. The few who lived there were the servants at the tombs and the mosque and at the temples, or pensioned officials of the late Mussslman government. Persons employed at the tombs and mosque were paid by the Madras government, which spent about Rs. 12,000 a year on current expenses and repairs,[5] but were devoted supporters of the old family.[6] After Dalhousie's visit in 1855, the government of Mysore commenced taking a direct interest in the tombs. The prime motive was to preserve them intact as historical and artistic monuments, and as a token of "an enduring respect for the last resting-place of brave and fallen enemies."[7] In obedience to the orders of Dalhousie, Cubbon spent more than a lakh of rupees to restore them to their original splendour.

[1] *Ind. Pol. Cons.*, July 25, 1834, No. 83.
[2] *Idem*, January 23, 1835, No. 107.
[3] *Idem*, November 30, 1835, No. 69.
[4] *The Mysore Administration Reports*. See also *infra*, p. 199.
[5] *Supra*, p. 128.
[6] *Ind. For. Cons.*, February 1861, Part A, No. 28.
[7] *Ind. Pol. and For. Cons.*, November 16, 1855, No. 90, Dalhousie's minute on Seringapatam; also *Private Letters of Marquess Dalhousie*, by Baird, p. 359.

The maharaja was still the sovereign of the area which constituted the Bangalore cantonment.[1] The government of Mysore continued to exercise authority over the civil population. Cubbon regulated the police, the customs, the sanitary arrangements, the disposal of sites,[2] the erection of residences, the liquor traffic,[3] the supplies to the markets, the administration of civil and criminal justice,[4] and other sundry matters coming under the purview of any local government. He encouraged the education of children by grants-in-aid, endowed the Friend-in-need Society with funds from the state, passed laws against European vagrants, provided employment for pensioners, arranged facilities of traffic with Madras, brought the railway thither, and helped to transform a comparatively insignificant place[5] into a great emporium in southern India.

There were two jagirs within Mysore, viz. the Yelandur and the Sringeri.[6] The latter attracted the attention of Cubbon in January 1835, in regard to the relations between the state and a jagir. The superintendent of Nagar remarked, in December 1834, that he could "not suppose that what is termed his [the swamis] jagheer is not intended to be as completely subject to the police and judicial authority of the Sircar as any other part of Mysore."[7] The commissioner tried to settle the question by a letter[8] and then by a personal[9] talk with the swami. But neither produced any effect. It was noticed that the swami, who was absorbed in

[1] *Ind. For. Cons.*, December 1868, General, Part A, Nos. 19–20.

[2] *Ibid.*,

[3] *Ind. Pol. Cons.*, September 9, 1834, Nos. 15–18; also *idem*, September 24, 1834, No. 88; and *idem*, March 30, 1835, No. 82.

[4] See Appendix A, paras. 89 and 129.

[5] R. S. Dobbs, *op. cit.*, p. 103; also *The Mysore Administration Report*, 1855–56, Emigration.

[6] *Ind. Pol. Cons.*, February 15, 1841, No. 59; also *Ind. Pol. and For. Cons.*, December 30, 1848, No. 440. N.B.—The Sivasamudram jagir lay within the jurisdiction of the Madras government.

[7] *Ind. Pol. Cons.*, May 18, 1835, No. 94.

[8] *Idem*, May 25, 1835, No. 74.

[9] *Idem*, November 23, 1835, No. 61.

religious observances, had transferred his secular authority to his chief superintendent (Sarvadhikari), who had obstructed state action in the jagir.[1] In the middle of 1835 the commissioner proposed to define the office of the chief superintendent and assimilate his duties to those of an amildar.[2] This plan does not appear to have been carried out, because, in February 1836, the commissioner directed the swami to appoint an amin with the functions of amildar within the jagir under pain of being deprived of his secular authority.[3]

The Yelandur jagir was more easily dealt with. The members of the Purnayya family had dissipated its resources, dividing the estate piecemeal, and pledging[4] shares to the money-lenders, who had almost ruined the ryots and merchants with exactions and duties. In 1835 complaints were made to Cubbon against the oppression and confusion.[5] An enquiry followed, and, as a result, Cubbon cancelled the rights of all except Narasinga Row, the surviving male heir of Purnayya through his sons.[6] He declared that the jagir had been granted to Purnayya on condition of its being kept undivided and prosperous. The boy, Narasinga Row, became on this principle the sole jagirdar of the estate; but as he was a minor, the government appointed Vittala Murthi as an amildar to manage it in his name.[7] The court of directors approved of this measure in the following terms: "We regret to be informed of the gross mis-management by the family of the late Dewan Poorneah, of their hereditary Jageer of

[1] *Ind. Pol. Cons.*, August 31, 1835, No. 26, Serial No. 3, the Nagar superintendent's letter.

[2] *Ibid.*, draft of the proposal.

[3] *Idem*, March 21, 1836, No. 47, Serial No. 2.

[4] *Ind. Pol. and For. Cons.*, March 4, 1853, No. 290; also *idem*, April 1, 1853, No. 121.

[5] *Ind. Pol. Cons.*, August 31, 1835, No. 25; also *idem*, November 16, 1835, No. 74.

[6] *Idem*, December 7, 1835, No. 49; also *Ind. Pol. and For. Cons.*, June 3, 1853, Nos. 59–68.

[7] *Ind. Pol. Cons.*, December 7, 1835, No. 49; *idem*, December 28, 1835, No. 79; also *Ind. Pol. and For. Cons.*, June 3, 1853, Nos. 59–68.

Yellundoor. The complaints by the ryots of oppression, and by the manager of the disregard of his authority, and the bitter disputes between the manager and the other shareholders, have compelled the commissioner to place the administration of the jageer in the hands of the aumildar of the district: and we observe from the Major-General Cubbon's report that lands to the value of 2,753 pagodas per annum had been alienated to Brahmins and others, that the jageer instead of being kept entire under the management of the head of the family, had been parcelled out among the shareholders, and that most of these, having become ruinously involved, had mortgaged their shares to their creditors, all which proceedings were distinctly contrary to the conditions of the tenure. Major-General Cubbon's proceedings in taking possession of the estate was therefore amply justified. We approve also of his having refused to recognize the mortgages, leaving the creditors to their legal remedy against the personal property of their debtors."[1]

The liquidation of public debts was one of Cubbon's most important duties. The principal creditor was the Madras government, which, at the instance of the supreme government, had advanced Rs. 10 lakhs to Mysore to enable it to pay off the arrears due at the date of assumption to the civil establishments and the troops. The other creditors were local bankers and rich merchants. Their claims were investigated by J. P. Grant,[2] who was empowered to decide whether they were private debts of the maharaja or public debts of the state.

The first instalment of Rs. 1,71,875 to Madras was paid in 1839–40.[3] The other instalments of varying amounts

[1] *India Bengal Despatches* (India Political), December 31 (No. 45) of 1841, para. 2.

[2] *Ind. Pol. and For. Cons.*, September 14, 1844, No. 194; also *India Bengal Despatches* (India Political), May 21 (No. 18) of 1845, entire despatch. J. P. Grant was a member of the Supreme Council in Dalhousie's time.

[3] *Ind. Pol. Cons.*, April 5, 1841, No. 111.

were paid at the discretion of the commissioner. But the court of directors were incessant in their reminders. In July 1847 they wrote that "on the 30th June 1845, the debt still remaining due from the Mysore state to the British Government, amounted (inclusive of interest at 5 per cent.) to no less than Rs. 23,59,619, although Rs. 31,70,864 had been liquidated since our assumption of the administration. Major-General Cubbon was not sanguine in his anticipation of an early discharge of this balance, on account of the large outlay which he considered to be necessary for roads, bridges, and works of irrigation."[1] Again, in December 1849 they remarked that "the Mysore State has now, we believe, no other debts than that due to our government. Of this the amount still unliquidated on the 30th June 1848 was Rs. 21,02,911, to which has since been added seven and a half lacs advanced to pay off the Rajah's claim on account of debts which, by Mr. Grant's award, were transferred from His Highness's private account, to that of the State."[2] But no order could divert Cubbon in this respect from his own course. Until 1851 he was busy paying off all those debts which Grant had found to be justly due from the state;[3] as otherwise his administration would have become unpopular.[4] As soon, however, as the claims of these private persons had been discharged, he paid off the company's dues as rapidly as he could. The situation in 1855 was described as follows: "The Mysore State was given over to the Commission saddled with a debt which, including interest paid for money borrowed from the Madras Government finally turned out to amount to upwards of 54 lakhs of rupees. The money which was advanced by the Company has now been repaid, both principal and interest, with the exception of less than two lakhs. If the season is

[1] *India Bengal Despatches* (India Political), July 14 (No. 15) of 1847, para. 2.
[2] *Idem* (India Political), December 28 (No. 41) of 1849, para. 4.
[3] *Idem*, October 1 (No. 34) of 1851, para. 4.
[4] *Ind. Pol. Cons.*, December 21, 1842, No. 89.

moderately favourable they will be discharged in the course of the next year."[1] As the following year was favourable, the promise was fulfilled. In that year Rs. 1,98,291–8–0 was paid off with a note that "the whole amount, principal and interest, which has thus been paid on account of arrears due by the former Government, has been Rs. 56,91,660–12–½," or Rs. 57 lakhs.[2]

[1] *General Memorandum*, p. 52.
[2] *The Mysore Administration Report*, 1855–56, Public Debt.

CHAPTER III

PRINCIPLES

Throughout the existence of the British commission Mysore was a foreign state outside the Indian administrative system.[1] The impulse to the British intervention had not been annexation, but assimilation of standards. It was designed to benefit the maharaja and his subjects by suspending the connection between the two, but not at all to promote the company's interests.

The subsidiary treaty and its explanatory memorial had not provided for any British government of Mysore to the permanent exclusion of the maharaja. The commission was a trust for and on behalf of the maharaja,[2] who was still the sovereign of the land, and the treaty between the company and the maharaja continued to be in full force. The court of directors and all Bentinck's successors at Calcutta accepted this view. When the maharaja died in 1868, the treaty lapsed,[3] but a fresh agreement was drafted in 1881. Cubbon's official title was "Commissioner for the Government of the Territories of the Rajah of Mysore."[4] The Residency was never abolished; the subsidy and the rent for Seringapatam were paid as before. Fiscal reforms were primarily introduced to suit Mysore industry and trade. No law of the Indian government was *ipso facto* valid within

[1] *India Bengal Despatches* (India Political), March 7 (No. 6) of 1845, para. 5; *idem* (India Judicial), August 20 (No. 37) of 1856; *Ind. Pol. and For. Cons.*, April 22, 1859, No. 182. It is on this account that no change was made in the form of the government at the time of the transfer of the administration from the Company to the Crown, beyond altering the headings of bills and other papers.

[2] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Bentinck's minute, para. 9; also *Ind. Pol. and For. Cons.*, February 22, 1856, No. 120, Secretary's note.

[3] *Ind. For. Cons.*, May 1868 (Political), Part A, No. 131, para. 3.

[4] *Madras Pol. Cons.*, May 20, 1834, No. 1, pp. 451–452.

Mysore.[1] In 1865 the advocate-general and the governor-general agreed that Mysore, though an administered state, was yet "a native state in alliance."[2] The governor-general made, however, a slight distinction between Mysore and other Indian states. He wrote: "The question is this: the Government of India, as administering a native state, has hitherto always claimed for itself the full power of the native ruler, and in virtue of this power has held that it can introduce, *quoad the subjects of such a native* state, any law that the native ruler himself could have established and enforced. The Government of India is, in fact, acting as the mere *locum tenens* and on behalf of the native sovereign, and as such would seem *prima facie* entitled to the power which it has heretofore claimed and exercised. If, however, the British Government is entitled to use this power, then the question arises, whether, as regards such a matter as Christian marriage, the Government of India can introduce into a native state, so situated, the marriage law of British India, and make it applicable both to Christians, natives of that state, and also to all other Christians resident in the state, including the British-born subjects of the Queen."[3] The advocate-general replied that the supreme government, being the "native" sovereign for the time being, had the right to do so, that there were peculiar difficulties only about the British subjects and foreigners, but that "the carrying of our legal system beyond our own territories under colour of the authority of the native sovereign is not permissible on principles of international law."[4] The company admitted also the right of the maharaja to be informed of the progress of the administration and of the financial receipts and expenditure,[5] and with that object an agent of the maharaja was admitted within the commissioner's office at Bangalore.[6]

[1] See *supra*, p. 91, regarding sati; also *infra*, pp. 176 and 177 respectively.
[2] *Ind. For. Cons.*, March 1866 (Judicial), Part A, Nos. 17–22.
[3] *Ibid.* [4] *Ibid.*
[5] *Ind. Pol. Cons.* July 25, 1836, No. 44, para. 4.
[6] See *supra*, p. 125, footnote No. 4.

But the maharaja was not allowed any active part in the affairs of government. The governor of Madras had informed Bentinck in 1831 that "from all enquiries I have now made into the actual condition and feelings of the people of Mysore, I am satisfied that any change will be highly acceptable to them, and the more entirely it excludes all interference of the Rajah, the more secure will be their future prosperity and peace. This must, therefore, I think, be a *sine qua non* of any arrangement short of the literal execution of the Treaty or we shall have the evils and altercations inseparable from a division of power."[1]

The court of directors and Bentinck recognized certain rights and duties. The court released the insurrection prisoners on the ground that the insurrection was justifiable,[2] being a rising of the real against the legal sovereign under unhappy circumstances. This was an open recognition of the right of the people to be well governed, and at the same time of their duty to obey the law. The commission was instituted to guarantee law and order and to promote people's prosperity in return for their loyal support. It entered thereby into a tacit contract with them for the establishment of its government, and admitted every individual's elementary right to life and property. To these Bentinck added equality and liberty. His regulations, which were carried out in letter and spirit, ran as follows:—

"All the ancient usages and institutions of the country, especially those of a religious nature, should be respected and maintained inviolate."[3]

"Petty disputes and other matters . . . should be left to themselves [i.e. the people]."[4]

The amildar "should be positively prohibited from exer-

[1] *Mad. Secret Cons.*, October 4, 1831, No. 4, para. 7.
[2] *India Bengal Despatches* (India Political), September 20 (No. 20) of 1837, para. 6.
[3] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 7.
[4] *Ibid.*, para. 8.

cising any magisterial duty or from interfering . . . in the case of any offence not involving open violence."[1]

"Patronage should be fairly proportioned. . . ."[2]

The superintendents "should see that the amils protect the rights of each ryot."[3]

"The ryots are to be at liberty to commence the cultivation of their lands. . . ."[4]

"Any unnecessary delay in disposing of complaints must always be a fruitful source of discontent as well as disappointment to the ryots."[5]

The right to petition for the redress of grievances was fully conceded. The government of India received and disposed of several petitions for justice, pensions, restoration to appointments in the government, and even the removal of officials.

The right to personal freedom was enforced in some cases even against the wishes of the commissioner. In 1837 forty-three persons having been imprisoned and held on suspicion of murder, the supreme government protested that "no individual should be exposed to the ignominy and inconvenience of a public trial unless there be *prima facie* evidence of his guilt."[6] In 1841 the commissioner was asked to recall the peons placed on Lakshmi Bayi of Rayadrug for her refusing to accept a corrected decree in exchange for an uncorrected and original one.[7] In 1858 the governor-general called for an explanation in the case of Tillayya Pillay, who had been kept in custody for six years without trial, and, as the explanation was unsatisfactory, removed the officials concerned and censured the commissioner.[8]

This was further affirmed by the total prohibition of torture, mutilation, public degradation, and corporal punish-

[1] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 10.
[2] *Ibid.*, para. 41. [3] *Ibid.*, para. 46. [4] *Ibid.*, para. 60.
[5] *Ibid.*, para. 71.
[6] *Idem*, May 8, 1837, No. 111.
[7] *Idem*, January 4, 1841, No. 171.
[8] *Ind. Pol. and For. Cons.*, October 7, 1859, Nos. 169 and 170.

ment. The refusal to recognize slavery and the declaration that "any violence or force employed towards one alleged to be a slave shall be equally punished as if employed towards a free person"[1] showed that freedom was to be real. In the case of the vagrants, great care was enjoined "not unnecessarily to restrain the liberty of the subject."[2]

The freedom of self-defence was admitted distinctly in the following circular: "The inhabitants of the Mysore country are authorized and enjoined to defend themselves and their property by the use of firearms or other weapons from robbers,"[3] and non-exercise of this right, as has already been pointed out, was punishable,[4] as it amounted to neglect of duty to the country.

In contradistinction with these, there were duties. The inam-holders were bound "to bring all crimes and offences committed in their villages to the immediate notice[5] of amildars and shekdars." "The people of each village are required to co-operate with public servants"[6] in the detection and prevention of crime. Everyone was free to select or give up lands for cultivation; but when he had once taken it up, he was compelled to discharge his duties to the state up to the limit of the regulations. There was no objection to the suitors coming to an agreement outside the court, but they were, with certain exceptions, obliged to fulfil it if they did.[7]

No excuse of administrative expediency was admitted in maintaining these rights sacrosanct. This is illustrated in the case of Cubbon's interfering with the mails in 1841. He was told that his conduct was "a very objectionable as well as an injudicious proceeding."[8]

But these ideals carried with them the duty of clearly

[1] *Collection of Circular Orders to Criminal Courts*, 1859, p. 81.
[2] *Idem*, p. 69. [3] *Idem*, p. 15. [4] See *supra*, p. 44.
[5] *Collections of Circular Orders to Criminal Courts*, 1859, p. 15. [6] *Ibid.*
[7] *Idem*, p. 39; also *Ind. Pol. and For. Cons.*, September 26, 1846, No. 33.
[8] *Ind. Pol. Cons.*, April 5, 1841, Nos. 115–117; also *idem*, February 22, 1841, No. 81.

enunciating the leading principles of the government and of defining the powers and responsibilities of the officials. Hukumnamas or orders to the amildars had been issued, probably by every ruler of Mysore from the middle of the eighteenth century; but these had always been limited in scope and incomplete. Fresh and fuller instructions had therefore to be prepared for the guidance of the commissioner and his European assistants.

Bentinck sent two letters, one defining the general principles of administration in Mysore, and the other containing instructions to the superintendents. The spirit in which they were written was conservative: "The Governor-General is exceedingly unwilling to introduce unnecessary alterations in the system which has hitherto prevailed and been found to answer in any department of the Mysore administration."[1]

The first of these letters began with a notable expression: "A regard for our own character which is involved in the condition of the assumed Territory (no less than desire to promote the benefit of the people) prescribed the necessity of placing over the inhabitants of Mysore authorities on whom they can implicitly rely for the protection of their rights, and tribunals to which they can confidently resort for the redress of their grievances."[2] Then it laid down the general principles:—

1. All the ancient usages and institutions of the country, especially those of a religious nature, shall be respected and maintained inviolate.[3]

2. Revenue complaints are cognizable only by the revenue officials.[4]

3. Offices shall be fairly distributed between Hindus and Mussalmans.[5]

4. Salaries shall be high enough to attract competent and upright men for the public service.

[1] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 5.
[2] *Ibid.*, para. 2.
[3] *Ibid.*, para. 7. See *supra*, p. 138.
[4] *Ibid.*, para. 27.
[5] *Ibid.*, para. 41.

5. The land revenue settlement shall be ryotwari.

6. The cultivator shall be free to do what he likes with the land. If he is poor and unable to cultivate it, it may be given to another. He may commence cultivation at any time he chooses and sow any crop he likes.[1]

7. The renting system shall be gradually discontinued.[2]

8. The patels shall be restored to their proper authority.

9. Remissions shall be sanctioned by the commissioner only when fully convinced of the necessity for granting them. If a ryot cannot pay his full rent, it may be remitted, but not in any case reduced. "If this can be reduced on any pretext whatever, abuses will take place in spite of the best arrangements, and the public servants will get possession of the best lands either in their own name or in the name of others at rates far under their value."[3]

10. Money rents shall be substituted for the existing payments in kind.

11. The amildars shall pay their establishments every month.

12. Public servants shall not hold appointments in the Talooks where they have lands.[4]

13. Inferior servants shall not be dismissed by any but the superintendents.

14. All old arrears shall be paid to the establishments.

15. Inams shall be investigated.

16. Taxation shall be rational and simple.

17. The inhabitants shall have all facilities for bringing their grievances to the notice of the government, and all such cases as are brought shall be promptly enquired into and settled.

18. "Not only the native forms should be preserved, but . . . native agency should be adhered to as much as practicable."[5]

[1] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, paras. 53 and 60.
[2] *Ibid.*, para. 48. [3] *Ibid.*, para. 53. [4] See *supra*, p. 77.
[5] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 72.

19. The duties of the commissioner in the revenue department shall be similar to those of the board of revenue at Madras.[1]

20. "In conclusion, I have above all to desire that you will continually bear in mind the necessity of showing every consideration to the institutions, habits, customs, feelings, and even prejudices of the natives, and of observing a kind and conciliatory conduct towards all classes."[2]

The court of directors were deeply impressed with "the feeling for the ryot"[3] exhibited in this document, and suggested at the same time, as though to complete the outline, that a cultivator who might be dispossessed of his land on account of his inability to pay the demand should be permitted to recover his land when he could again pay the revenue to hold it.

Bentinck further directed the attention of the commissioner and his superintendents to the rules issued by Malcolm in Central India. A better model could hardly have been offered to them, especially in the point of keeping themselves completely accessible to all public complaints.[4]

The entire local responsibility for the administration rested with the commissioner. He alone had the initiative. Even Bentinck and Dalhousie valued it generally. For instance, Bentinck asked the commissioner "to report what portions of the country should in your opinion be assigned to each of the four Superintendents when His Lordship will be prepared to appoint the individuals and to fix their personal allowances."[5] Dalhousie noted in his minute of March 10, 1856, that "the commissioner spoke to me personally when I was at Bangalore in November upon this subject, and

[1] *Mad. Secret Cons.*, October 4, 1831, No. 4, para. 14.
[2] *Ind. Pol. Cons.*, July 25, 1834, No. 75, para. 48.
[3] *India Bengal Despatches* (India Political), February 12 (No. 5) of 1836, para. 7.
[4] *A Memoir of Central India*, by John Malcolm, 3rd edition, 1832, pp. 442–443. See also *infra*, pp. 223 and 226 respectively.
[5] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 3.

expressed himself even more earnestly in favour of the creation of a Judicial Commissioner than he has done in his despatch. I am disposed to accede to General Cubbon's request and to constitute the office."[1]

Bentinck realized, however, that the burden should not lie in practice solely on one man's shoulders. He admitted the feasibility of delegating part of the trust to European officers placed in charge of the divisions. "The services of the Superintendents may be turned to much good account by their efficient control over their amils, for it is not to be expected that you [the commissioner] could adequately superintend and check the minute operations of all the Talooks in the country."[2] Neither the commissioner nor the superintendents had known anything of the country before they were directed to manage it. Distance and difficulties of travel were great. A large share of responsibility was necessarily accorded to the superintendents within their respective divisions. Besides, Cubbon held that variety of system was a practical need owing to the differences in the customs and traditions of the divisions. In 1835, for example, he wrote to the superintendent of Ashtagram that "though it would be highly desirable to introduce the system of coolwar[3] settlement throughout the country, as has been advantageously done in Nuggur, there are local peculiarities and difficulties in the other Divisions, which will not at present allow of an assimilation of practice in them to that adopted by Mr. Stokes. The whole of the Nuggur Division presents the utmost facility for the introduction of the method of settlement from the tenure of land being uniformly that of 'Shist' of fixed candayem, rent, by which means the extent of land cultivated and amount of money rent paid by each ryot can be specifically ascertained, and the greatest [advantage] accrues from the possession of such

[1] *Ind. Pol. and For. Cons.*, February 22, 1856, No. 122, para. 2. See also *Salaries in India*, H. Ricketts, 1858, Appendix 607, para. 2.

[2] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 51.

[3] A marathi term meaning "individual."

a record. But the case would be widely different in those parts of the country where the land tenure is of a mixed nature—partly in Candayem and partly in Battayee or where the latter only prevails."[1] Dobbs described Cubbon as an intensely conservative man; but "in all matters in which he [Cubbon] considers his deputies possessed practical knowledge, he gave them great liberty in exercising their own judgment, and often told me that he did so on this principle—that it would be inconvenient and undignified for the head of the Government to cancel measures he had sanctioned, should they prove unsatisfactory. Some might have been backward to use the liberty granted, but all knew that under one so generous and kind-hearted they would be secured against any of their errors being made public, while they were corrected in such a way as not to hurt their feelings."[2]

To initiate the superintendents in their task and to introduce some uniformity in their procedure, a letter of instructions, already referred to,[3] under the main heads of administration, was sent by Bentinck to the superintendents through the commissioner.[4]

(*a*) Under the general head that "no unnecessary changes should be introduced," they were told:—

"7. According to the custom of Mysore, it is usual immediately after the commencement of rains in April for the inferior public servants, such as Sheikdars and Shanbhogues, to proceed to every village, assemble the ryots, examine into their circumstances during the year, and take engagements for the cultivation of Candayem lands for the ensuing year. An account of the Candayem is then prepared, which is kept with the Shanbhogue until October, when the collection

[1] *Ind. Pol. Cons.*, June 29, 1835, No. 72, Serial No. 1, the commissioner's orders.

[2] R. S. Dobbs, *op. cit.*, p. 114.

[3] See *supra*, p. 141.

[4] The quotations under (*a*) to (*g*) are entirely from the General Letter of Instructions, *Ind. Pol. Cons.*, July 25, 1834, No. 75.

begins. It is desirable that you should make particular enquiries about the manner in which the accounts called the Suvarnadaya putty are prepared, and direct the amildars to collect them from the Shanbhogues and furnish you with an extract of the same.

"8. These accounts, if correctly made out and received into your Cutcherry at the proper time, that is, at the end of August, will afford you the means of ascertaining the total amount of the public demand upon the whole Division on account of the Candayem or lands assessed in money.

"9. The collections begin in the month of October, and although there are said to be only three khists, yet the revenue is in reality in course of realization throughout every month of the year. It is known that the ryots are often obliged to borrow money at heavy interest from Sowcars wherewith to pay their Candayem; and it is exceedingly desirable that the periods for the payment of their khists should be so regulated with reference to the time of harvest, the demand for grain, etc., as to relieve from this necessity. You will therefore have the goodness to call for the opinion of the Amildars on this subject, and in communication with the most respectable and intelligent of the ryots frame a voidabundy or schedule of revenue instalments to be paid by the ryots, and forward the same to the Commissioner's cutcherry."

(*b*) Under "rents":—

"10. . . . No change in the rates of money rents or Candayem should ever be permitted without the sanction of the Commissioner. . . .

"11. It is understood that in many places the Candayem rates fully realized in Purneah's time have since been lowered under various pretexts. It would seem necessary, and not of difficult accomplishment, to ascertain the same and the causes of it. In some places the best money rented lands have been converted into Battayee, while lands of the

latter description which produced abundant revenue in kind have been given to persons for money rent below their value. These unauthorized reductions are to be discovered, as on this will chiefly depend the restoration of land revenue; but if in any instance the money rent has been rated too high either from the poverty of the soil or disadvantages of situation, it is always easy after full enquiry to propose reductions.

"12. The abuses incident to the Buttayee system are so many that it is impossible to secure the whole of the public revenue desirable from the lands, and every opportunity should therefore be taken to commute the payments in kind for money rent, as best for the interest both of the ryots and Government, particularly as relates to the dry lands.

"17. Whenever the revenue is paid by the ryots they should immediately be furnished with receipts, which at present is not the case, generally, and the particular attention of the amildars is to be directed to this object.

"18. It would be a rule to make arrangements for the cultivation of all lands under the Battayee system before the beginning of the season of cultivation, and the amils should prepare an account at the proper period. . . .

"21. The Amildar, Sheikdars, Shanbhogues and Potails should be responsible to bring under cultivation the whole extent of land for which there is a sufficient quantity of water in the tanks. . . .

"22. The amils should manage and be responsible for the sale of all Battayee produce, under instructions from you at the proper season.

"23. Abstracts of the Jummabandi of the several Talooks under your charge should be received into your Cutcherry by the middle of August, and it will be necessary to issue very strict orders to the amildars for this purpose; for although some of them commence the Jummabandi in January and others in March and April, few of them send the accounts at the time prescribed. They should therefore

be required to make a tour of their Talooks and to visit all the villages, to ascertain at the proper periods the state of the crops, both of Karteek, Kadanrunb[1] and Vysack, the first with respect to its actual state and the last by the most accurate estimate in their power. The actual quantities or produce of the latter crops should also be ascertained where practicable before the conclusion of the Jamabandi in the early part of the year, in those villages in which there is only a very small proportion of Battayee cultivation, as also in such as have certain means of irrigation; while this early settlement is equally to the advantage of the ryots and the Sircar; for the ryots will thereby be induced to do their best for their own benefit, after providing for the payment of Sircar dues. . . ."

(*c*) Under "taxes":—

"25. The monopoly of the Paunch Babs, namely Tobacco, Beta leaves, Ganja, arrack, and Toddy, is confined to a certain number of Talooks; and whenever [wherever?] it exists, it appears to be involved in great confusion by being mixed up with the other and total distinct branches of revenue. There is at present no intention to extend these rents into other districts. But it is extremely desirable that they should be kept distinct and separate not from other branches, but from each other, at all events that their accounts should be kept separate even when in the hands of the same renter.

"26. It is necessary that the revenue derived from the Mohturfa should also be shown separately in your accounts; but in Mysore the taxes falling under this head, as well as some others, are now mixed up with the Candayem. . . ."

(*d*) Under "payment of establishments":—

"28. The payment of the Talook servants as now conducted is very irregular, and liable to many abuses. It is

[1] A tamil word meaning "a dry land watered by rain alone."

therefore advisable that the amils should send their detailed pay abstracts to your cutcherries, where, after having undergone examination and check, the pay should then be sanctioned by you. The amils and other public officers should be prohibited from appropriating any sums not previously sanctioned in this manner.

"29. The aumils should be held responsible for making their remittances every month to your Treasury."

(*e*) Under "people's grievances":—

"36. It appears that under the present system the ryots are frequently obliged to come to the Hoozoor, however distant from their homes and families, for the investigation and adjustment of complaints which might be easily settled on the spot by the amildars or sheikdars. It is therefore advisable that you should appoint one or two days in every week for the purpose of hearing the complaints of the ryots, and that you should also enquire into the nature of revenue complaints in general and forward me a classification of such as might advantageously be disposed of by the amildars and sheikdars respectively, which shall be returned to you with such instructions as may appear necessary. After which a rule should be established, that any amildar or sheikdar failing to enquire into and decide upon any case coming properly under their respective jurisdictions should be held liable to pay the expenses which any ryot might through their neglect be exposed to in carrying their complaints before your cutcherry, or that of the commission."

(*f*) Under "employment of officials":—

"41. All appointments and dismissals of the Sheikdars and other public servants not superior to them in rank may be made without reference to the Commissioner.

"42. Whenever the amildars and sheristedars may be proposed to be dismissed from the service a short abstract of

the charges, the evidence, and proof should be forwarded to the Commissioner before they are dismissed.

"43. You will be at liberty to remove amildars and sheristedars from one Talook to another, making a report of the same, and of the causes which occasioned it, immediately to the Commissioner."

(*g*) Under "tanks":—

"44. Amildars are to be informed of the necessity of forwarding to the Superintendent at a proper time all estimates for the repairs of tanks during the year. These estimates being checked or examined at the Superintendent's Cutcherry should be forwarded in abstract to the Commissioner for sanction.

"45. A small Maramut Establishment is allowed to you for these duties, and you will be at liberty to communicate on the subject of repairs with the Engineer officer at the head of the Maramut on the subject of estimates, his replies being sent along with your reports on this subject."

Administrative difficulties were cleared up by frequent conferences with the superintendents at Bangalore, by the issue of circulars, and by the constant touring of the commissioner in the divisions.

Personal touch between officials and the people was always an important principle in Cubbon's administration. It was no new idea and had probably been the practice of every good Indian administrator. It had been the custom of Malcolm and Munro.[1] In Mysore Purnayya, the maharaja and Briggs had followed it. What Cubbon, however, did was to systematize it and to make it a part of the duties of the high officials. In doing so, he aimed at identifying the interests of the government and the inhabitants, and at removing opportunities for corruption. "In no country,

[1] See *supra*, p. 143, footnote No. 4.

perhaps, has more been effected by the personal character of the public officers than in India, and nowhere, therefore, does the success of public measures more depend upon the degree of mutual confidence subsisting between those officers and the inhabitants."[1]

Besides, this closer association helped the government to get very valuable information about the country. As land revenue was the principal source of income, it was necessary to understand, correctly and clearly, questions relating to it. The records of government had become unreliable owing to the damage done during the insurrection. "Many of the survey papers were lost, and the advantage was taken of the occurrence to destroy others."[2] No fresh survey was immediately possible in order to discover the value of the land for the purpose of assessment. The lower revenue officials were too corrupt to be trusted.[3]

An idea of the complexity of this subject may be formed from an analysis of the land tenures, rates of assessment, and the methods of collection which then prevailed in the country.

The tenures were:—

"Village Settlements

1. Permanently settled villages (Kayem Goota).
2. Villages on a progressive rental (Shriah).
3. Villages rented for one year (Kalavady, Ezrah).
4. Jody or lightly assessed villages.

Individual Settlements

I. Government.
   1. Candayum or assessed Government lands.
   2. Buttaee, or division of produce.

[1] *Ind. Pol. Cons.*, November 22, 1841, No. 146, para. 9.
[2] *Ind. For. Cons.* (Revenue), September 1862, Part A, No. 35, para. 9.
[3] *Ibid.*, para. 4.

II. Enam.

1. Ardha Manium, Ootar, etc., lands.
2. Jody, or lightly assessed lands, viz.:—
   Granted to village servants.
   Granted to Bramins, Fuckeers, and Devustanums.
   Granted to private Chuttrums and Topes."[1]

There was a bewildering variety of rates. In the Chitaldrug division, there were 465 rates ranging from Rs. 0.1.2 to Rs. 9.4.11 on a variety of units. In the Ashtagram division there were 82 on dry land, 5 on wet land, and 12 on the garden land, with 19 classes of soil. In the Bangalore division there were 596 rates between Rs. 0.1.9 and Rs. 10.1.0 on dry land, with 26 classes of soil, 81 rates on the garden lands, and 451 rates on the wet lands. In the Nagar division, "in one hill talook, taken at random apparently, there were 147 rates on wet lands, varying in rentals of from nearly Rs. 34 to a little more than one rupee the Kandy, i.e. from about Rs. 16½ to 7⅝ annas per acre."[2]

In the Yedatore taluk, the sayer, mohtarfa, and the panchbob taxes were so mixed up with the land revenue that the grain duties, which had been generally abolished, were still being collected in December 1834.[3]

In the Sakrepatna taluk a number of oppressive taxes had been added to the land revenue, although they were not levied in the adjacent taluks.[4]

The real share of the government in the battayi lands was only a third of the gross produce, while its nominal share was a half.[5] This loss was due to theft, fraud, and delay in the sale of the government grain.

[1] *The Mysore Administration Report*, 1862–63, para. 82.
[2] *Ibid.*; also *Ind. For. Cons.* (Revenue), September 1862, Part A, No. 35, para. 8.
[3] *Ind. Pol. Cons.*, May 11, 1835, No. 58, Serial No. 2.
[4] *Idem*, June 29, 1835, No. 61, Serial No. 9.
[5] *Ind. For. Cons.* (Revenue), August 1872, Part A, No. 4.

There was only one way out of this maze. That was to go to every place and settle the demand according to the actual conditions. In those days it was easier to discover the facts by personal intercourse with the people than by any agency.

Character was the very soul of Cubbon's administration. Bentinck had emphasized it again and again. In his letter to the maharaja in September 1831 he had written that the British government had been "imperiously called upon to vindicate its own character for justice."[1]

It was obvious that the most serious fault of the maharaja's administration was its partiality, which was due to lack of character in the responsible officials. In the case of two dewans their qualifications had been either personal relationship[2] with or service under Purnayya[3], and in the case of the third he was a favourite[4] of the maharaja. This was dangerous, for it was unlikely that such candidates in following their masters' examples would be impartial between communities. Beyond this, it was positively mischievous. For influence, in the sense of interested advice masked by a pretence of public good, was irresistible even by the earliest commissioner,[5] and the dewan Babu Row and the sheristadar Krishna Row successfully matched their political art against his politica theories.

The only remedy was to appoint disinterested persons in the higher offices and to invest them with adequate authority. The first step was taken in 1831 by appointing European commissioners and placing the dewan under their orders.[6] But this was not adequate; the dewan became a rival to the commissioners, and the faujdars remained as powerless as before against the amildars. A less powerful subordinate at headquarters but more powerful and popular heads in

[1] *Mad. Secret Cons.*, October 4, 1831, No. 4, the fourth paragraph from the last. See also *supra*, p. 141, quotation relating to footnote No. 1.

[2] Venkataramanayya.

[3] Rama Row, Babu Row.

[4] Lingaraj Urs.

[5] John Briggs.

[6] *Mad. Pol. Cons.*, April 27, 1832, No. 4, paras. 7–14.

charge of the districts appeared to be a better plan. So in 1834 Bentinck abolished the dewanship, substituting a head sheristadar with no executive powers,[1] and appointed four European superintendents, in the places of faujdars, with certain extraordinary powers. At the same time, in order to avoid any unfair attack against his own motives, he ordered that the number of Europeans in the service should not be increased, but, if practicable, diminished at the earliest opportunity. His conception of the purpose of the European element in the commission was less racial than moral,[2] just the view of the Torture Commission, 1858, in the case of the neighbouring administration of Madras.[3] The two Indians,[4] inspired by European conception of duty, were as good as Europeans. The real contrast was between the local, irresponsible, and egoistic element on the one side and the foreign, responsible, and disinterested on the other, between laxity and discipline, but not between members of two different races. It was to avoid, as said already, any possible misunderstanding that Bentinck appointed both the European and Indian officials to high offices at the same time, and that he set a limit to the former but none to the latter. "It is the intention of His Lordship to appoint not more than four European officers."[5]

This "moral agency,"[6] however, was utterly inadequate. Wholesale importation of Indians from Madras or Bombay service was not wise or popular, and the local officials, however defective, had to be employed in the hope of betterment. Cubbon's position was in this matter difficult; he had to quarrel with his tools on the one hand and with his employers on the other. The story of his appeal to the higher

[1] See *supra*, p. 75.
[2] *Ind. Pol. Cons.*, July 25, 1834, No. 76, Bentinck's minute.
[3] *The Madras Torture Commission Report*, 1858, para. 93.
[4] Morison had appointed both of them before Cubbon's time. *Ind. Pol. Cons.*, July 25, 1834, No. 76. See also *infra*, p. 177 and pp. 203–204.
[5] *Ind. Pol. Cons.*, March 30, 1835, No. 73, Serial No. 1, para. 3.
[6] The term used by the Madras Torture Commission as an equivalent to the European agency.

authorities for more liberal sanction of the European element may be briefly told.

In November 1834 he wrote: "Whatever arrangements may hereafter be determined upon, the actual condition of Mysore at the present time affords little encouragement to the employment of native agency to the extent which would appear to be considered desirable by the Home authorities. A rancorous animosity, arising from recollections of mutual injuries, unhappily subsists between the great mass of the people, and the caste which was permitted for twenty years to exercise and abuse all the powers of Government, until the country rose in rebellion, whilst the latter, which of necessity still supplies most of the public servants, is itself divided into hostile factions bent on mutual persecution, and withal so corrupt and so destitute of everything deserving the name of principle, that for the conduct of an important enquiry few individuals who served under the late government can be found in whose probity confidence could be safely reposed. They have no trust in each other. Hence in all dissensions between themselves, but especially in all questions between them and the people, it is absolutely necessary that the enquiry should be conducted by a European officer. Nothing but this will satisfy the honest ryot that justice is done, and whilst it constitutes his best, perhaps his only, protection from the extortion and oppression of a wicked servant, it affords the faithful servant a security against the conspiracy and violence of dishonest and violent characters and to which the most worthy are the most exposed.

"In disputes between government servants and the ryots with respect to fraud on the one hand and extortion on the other, almost every enquiry confided to a native has ended unsatisfactorily, and usually in something more than the suspicion that the agent had been bought over by one or other party . . . in the ordinary course of business when the detection of untruth is next to certain. Little confidence can

yet be placed in the veracity of the public servants, of those deputed to enquire into their conduct, for, however divided amongst themselves, they are too ready to continue against the government whenever it is their interest to do so. Important works are reported finished which are not begun, others broken which are in strict preservation, others repaired to which nothing has been done and the money misappropriated, the public servant in league with robbers, robbers liberated for a bribe, and encouraged to commit fresh depredations, are matters which, though far less frequent than formerly, are still of not very uncommon occurrence; while it is certain that such oppression is still practised in various ways on the people, in spite of the utmost endeavours of the Superintendents to prevent it. Hardly a week passes without the dismissal of a public servant, and although a very perceptible change for the better has taken place in their conduct, the improvement is naturally slow from the power of old habits. I do not, however, mean to say that there are no exceptions to the general depravity, but only that these exceptions are too few to enable me with justice to the public interests to recommend that any part of the European assistance now afforded should be dispensed with."[1] To this argument the governor-general replied that he would permit the supernumerary European officers to be continued without being made permanent, "considering that the object of native agency should be kept steadily in view, and that though men of integrity may at present be rare . . . yet under the pure and rigorous administration which has been substituted since our assumption of the country, it may be hoped that at no distant period a body of native functionaries may be found not inferior in diligence or probity to those who are employed in our own territories."[2] In November 1841 Cubbon again drew attention to the necessity for continuing the European agency in the adminis-

[1] *Ind. Pol. Cons.*, November 28, 1836, No. 31, paras. 7 and 8.
[2] *Ibid.*, No. 32.

tration. "It may be truly said that a general confederacy exists among the native public servants to depress the rising spirits of independence among the people encouraged by the system of liberal and equal administration now introduced into the country, and notwithstanding the most vigilant supervision that can possibly be exercised by the European officers employed in the districts, hardly a month passes without bringing to notice some acts of injustice and oppression."[1]

The disproportion between the daily task and the existing executive agency was growing rapidly. The English schools offered no immediate relief. The superintendents protested against their drudgery, and fell ill oftener than before.[2] The commissioner had no qualified persons to share the superintendent's responsibilities. So he had, again and again, to address the supreme government for a more liberal supply of European assistants, to be employed only until the local supply was sufficient. The supreme government was compelled at every stage to concede this request, until the total number of assistants had more than doubled between 1834 and 1857. Even then Cubbon could not rest satisfied. In the latter year he requested the governor-general that "although I see no likelihood of any outbreak of insurrection being attempted in this Territory, yet there can be no doubt that the public mind is deeply moved, and no effort has been spared by intrigues, both by emissaries and correspondence, to move it still more deeply. The principal military servants of Mysore are the sons and grandsons of the officers of Hyder and Tippoo, while most of the leading civil officials are Mahratta Brahmins of Sattara and elsewhere; and the ears of the people are constantly filled with the most false but at the same time most plausible reports of the complete prostration of the British person. . . . Under these circumstances the paucity of European officers under my orders

[1] *Ind. Pol. Cons.*, November 22, 1841, No. 146, para. 11.

[2] See *infra*, pp. 164 and 165 respectively.

has caused me much anxiety, and the want of assistance is particularly felt by the Superintendents of division. . . ."[1] The government of India then sanctioned one more European officer.[2] That was the last occasion when an addition was made to the existing number of European assistants.

The possibility of restoration probably played some part in limiting the appointment of European officers. It also raised difficulties in the Indian element. The Indian officers were not sure whether the British commission would last long enough to compel their obedience to its authority. There were several occasions when they wavered between the present and the future.[3] The intentions of the authorities at Simla and London were as mysterious to the commissioner as to the maharaja. The former's was a precarious government to which everybody belonged without being attached to it, and his personality alone helped to carry the people with him. As benevolent reforms were to be introduced, a disinterested agency was necessary, and Cubbon demanded more and more foreign assistance.

Bowring said that "under such a system, had the European officers upon whose energy and ability the whole fabric rested been suddenly removed, and had the administration been then restored to native rule, the whole structure would have collapsed at once, and the former 'moghalai' have become again rampant."[4]

[1] *Ind. Pol. and For. Cons.*, October 16, 1857, No. 30.
[2] *Ibid.*, No. 31.
[3] *Ind. Pol. Cons.*, March 21, 1838, No. 42, paras. 9–11.
[4] *Ind For. Cons.* (Political), March 1868, Part A, No. 45, para. 8.

CHAPTER IV

INSTRUMENTS

(i) MACHINERY

The chief executive of the state was the governor-general-in-council.[1] Every department of the administration and every pie of the receipts and expenditure were under his control. He alone could appoint the principal officials or dismiss them. He could initiate or terminate any action without the consent of his subordinates. He was answerable only to the court of directors. According to the subsidiary treaty, the trust belonged to him alone.

But he ruled the country through the commissioner, whose powers were most extensive, though limited in theory. The latter could appoint (though technically recommend) anybody[2] to any office within it. As in the case of Stephens, he could also dismiss.[3] He regulated taxes and trade and industry. When the supreme government objected to an excise on arecanut, the commissioner's statement made them withdraw their objection.[4] He was indeed bound to submit full information about his management weekly, quarterly, and annually, but his conduct was seldom questioned. Bentinck seldom interfered, and only in the name of principle; Dalhousie only for the sake of his pet schemes;[5] but Canning alone interfered in season and out of it.[6]

[1] *Mad. Pol. Cons.*, July 6, 1832, No. 14, Bentinck's minute.

[2] H. B. Devereux, the Judicial Commissioner, was appointed by Dalhousie on Cubbon's suggestion; but his successors, L. Macqueen and C. B. Saunders, were appointed by Canning without his consent or knowledge.

[3] *Ind. Pol. and For. Cons.*, October 7, 1859, Nos. 178 and 179. Stephens was the first Director of Public Instruction.

[4] *Idem*, February 22, 1856, Nos. 118, 120, and 124.

[5] The introduction of the Public Works Department and other "departments."

[6] Especially in Cubbon's judicial work.

The commissioner's executive authority could not be questioned by anybody within the state. Even the maharaja and the Resident were subject to his will, though, like others, they could appeal to the supreme government against it. The Resident was a correspondent of the governor-general-in-council at the court of the maharaja.[1] He had no connection whatever with the government. Stokes, indeed, when a Resident, became an advocate of the maharaja[2] against the commissioner. This meant in practice that two servants of the company, holding the most responsible posts in Mysore, met as opponents rather than as friends, and as rivals rather than as co-operators. But the governor-general did not agree with Stokes, and, in order to prevent further interference with the commissioner's authority, abolished Residency as a separate office.[3]

The duties of the commissioner were both civil and military, though the latter were comparatively insignificant. The government of Madras and its commander-in-chief enjoyed superior military authority within Mysore, and could "in any case of emergency requiring their intervention . . . dispose of all the force in these territories at their discretion. The forces in Mysore and Coorg are on the same precise footing as the force at Hyderabad and at Nagpur, and as the force in any part of India which is politically under the direct control of the Government of India."[4] In regard to his civil duties, the commissioner could do anything for the introduction of an enlightened government. He watched the work of the district officials, guided them when necessary, and decided the questions referred by them.

[1] The actual position was described by Bentinck as follows: "The Resident in Mysore will remain in charge of the political relations of the Rajah and his family with the British Government" (*Mad. Secret Cons.*, October 4, 1831, No. 4, para. 16).

[2] *Ind. Pol. and For. Cons.*, February 3, 1844, No. 277; also *idem*, September 1844, No. 161.

[3] *Ind. Pol. Cons.*, December 28, 1842, Nos. 88 and 89: also *India Bengal Despatches* (India Political), February 28 (No. 6) of 1844, para. 3.

[4] *Ind. Pol. Cons.*, March 21, 1838, No. 69, para. 17, the last sentence.

Until 1856 he was the highest judge in civil and criminal matters.

His status was, however, undefined. In 1831 the commission was enjoined to exercise the powers of a Revenue Board and a Sadar Court, and to draw salaries equivalent to those of the Revenue Board, viz. Rs. 4,083 each per month.[1] But several changes took place in the character of the commission subsequently, the chief of them being:—

1. The commissioners reduced from two to one in May 1834.
2. The charge of Coorg added to that of Mysore from 1836.[2]
3. The charge of the Residency added from 1843.

But in spite of the increased work and responsibility the exact status of the commissioner was never defined, nor was his salary increased. His tentage allowance remained at Rs. 5½ per day while on tour. It was an irony that Ricketts, who reported on Indian salaries in 1858, wrote about this responsible post that he did not think "the salary should exceed that of a judge of the Sudder Court of Madras, which has been fixed at Rupees 42,000 per annum. Whenever a vacancy may occur, I would reduce it to that sum."[3] Cubbon protested against this suggestion, and asked for a "high salary, that leading test of dignity and confidence among natives. It would do less harm to cut down the pay at once than to do it when the place comes to be held by one whose authority would not have the advantage of the prestige attending a quarter of a century of tenure."[4] Ricketts rejoined: "The climate of Mysore, especially Bangalore, must not be forgotten. For my own part, I had rather be

[1] *Mad. Secret Cons.*, October 4, 1831, No. 4, para. 14.
[2] *Ind. Pol. Cons.*, December 14, 1835, No. 94.
[3] *Report of the Commissioner for the Revision of Civil Salaries and Establishments throughout India*, by H. Ricketts, 1858–59, "Officers of the Mysore Commission," p. 590.
[4] *Extracts from the Report on Civil Salaries*, by H. Ricketts, 1870, p. 79.

Commissioner of Mysore with Rupees 42,000 per annum than Commissioner of Nagpore with Rupees 45,000, or Commissioner of Scinde with double the income. I cannot alter my recommendation. Sir Mark Cubbon, with the same devotion to the public service which has characterized his long career, says: 'If reduction is unavoidable, carry it into effect at once; such a measure must be injurious, but the injury will be less now while the office continues to be held by one whose authority has the prestige attending a quarter of a century of tenure.' Such an offer from anyone else would suffice to stamp his character as one of rare disinterestedness; coming from General Cubbon, it seems almost impertinence to notice it with admiration, for it is only in unison with the whole tenor of his life, which has been one long act of devotion to the public service. Though I admit, and have on more than one occasion said, that respect waits on salary, I cannot believe that the effect of reduction in the salary of his successor would be so injurious as he conceives. At all events, if such a result be anticipated, the alternative must be abandonment of the measure, not a reduction in the salary of the present commissioner."[1]

Until 1856 the commissioner was entitled to four European assistants, but after that date only to two. The first assistant was the secretary to the commission, acting for the commissioner during his absence from duty.[2] He thus held a rank superior to that of the superintendents. Cubbon wrote: "It is not every officer who can perform these duties satisfactorily. He must be a man of general information, possessing the power of writing rapidly, correctly, and concisely; he must have an intimate knowledge of the administrative details of the country in all branches, and be familiar with the records and correspondence of the Commissioner's office. The confidential position which the Secretary must necessarily occupy in his relations with the Commissioner in itself

[1] *Extracts from the Report on Civil Salaries*, by H. Ricketts, 1870, p. 80.
[2] *Ind. Pol. Cons.*, August 8, 1836, Nos. 57–61.

presupposes that he must be an officer of approved conduct and judgment and of matured experience."[1] The secretary was paid Rs. 1,400 per month, with an allowance from 1839 of Rs. 400 per month for his charge of the amrut mahal department paid by the Madras government in its military branch.[2] It should be noted that he was paid nothing for his work for Coorg. In this respect Cubbon and Ricketts were again at variance.[3] The latter thought that, as the chief secretaries in the Punjab and Oudh and in the Central Provinces were paid Rs. 2,000 and Rs. 900 per month respectively, the secretary in Mysore ought to be paid a consolidated sum of Rs. 1,200 per month.

The second assistant to the commissioner was employed in miscellaneous duties—conducting enquiries, drawing up reports, and assisting the secretary in his office work.[4] From 1856, when the judicial commissioner was appointed, the post of this assistant was abolished. His salary was Rs. 900 per month.

The third and fourth assistants were employed on routine duties. The former performed judicial duties on behalf of the commissioner until 1856, when the post was abolished. The latter was employed more like the second assistant on miscellaneous duties until 1857, when he was appointed the director of public instruction and his post as an assistant was abolished.[5]

The first assistant was not removed except on his own resignation from the office. Captain Clarke received rank as a Lieutenant-Colonel while secretary.[6] The second assistant, on the other hand, was constantly promoted superintendent, his place in the headquarters being filled by the third assistant.

[1] H. Ricketts's report, *op. cit.*, p. 602.
[2] *Ibid.*, p. 590.
[3] *Ibid.*, pp. 602–603.
[4] *Ibid.*, p. 590.
[5] *Ibid.*, p. 591.
[6] *Ind. Pol. Cons.*, May 25, 1840, No. 100; also *Ind. Pol. and For. Cons.*, March 15, 1843, No. 83; and *India Bengal Despatches* (India Political), September 26 (No. 27) of 1843, para. 7; *idem* March 27 (No. 15) of 1844, para. 76.

The secretariat and the departments have been already noticed.[1] It was stated in the same place that the commissioner administered the country with the help of four European superintendents, each in charge of a division which yielded a fourth of the total state revenue. The duties of these officials were laborious, demanding "a clear head, active habits, and great powers of mental and bodily endurance."[2] Popham, the first superintendent of the Chitaldrug division, wrote in 1837: "I trust I shall be excused for adverting to the extraordinary labour required to carry on the duties of the districts in Mysore which are not inferior in extent or amount of revenue to most in the Madras Presidency, and these, though they have been under the British Rule for many years, yield full employment to four civil servants (judge, collector, sub-collector, Head assistant), each provided with an adequate native establishment, whose aggregate number doubles that of those attached to the Divisions in this country. When not actually suffering from the fever, which drove me to the Cape, I was always in office twelve hours a day, and very often have been there from eight in the morning till eleven or twelve o'clock at night; yet from the pressure of current business was unable to devote the attention I could wish to many matters, which, more especially in a newly assumed country, it was necessary to investigate. And I feel assured that the present state of my health has arisen from over-exertion in a bad climate."[3] Cubbon added that Popham had been employed for a considerable time in the revenue and judicial departments of the Madras government, and that he could bear personal testimony to the last statement in Popham's letter, "although the duties of the Division to which he stood appointed were the least laborious of any in this Territory and those of the Ashtagram were the most so."[4] Budd, the superintendent

[1] See *supra*, pp. 74 and 75. [2] *General Memorandum*, p. 101.
[3] *Ind. Pol. Cons.*, May 11, 1840, No. 121, para. 7.
[4] *Ibid.*, para. 8.

of Bangalore, said the same thing in 1843. He was sorry that one had to work in Mysore without a break, relief, or relaxation, and that the only recreation was change of occupation and the only leisure was the holiday accompanying local festivals.[1] Ricketts admitted all these facts. "There is not the remotest approach to exaggeration in any of these statements. The European officers work hard in other parts, but nowhere as in Mysore. The deputy Commissioners in some of the districts of the Punjab, the collectors and Magistrates of some of the districts of the North-West Provinces, most of the Collectors of Madras, have more work to do than should be demanded from them, but they are not such slaves as the district Superintendent of the Mysore territory . . . the wonder must be that, by any amount of exertion and devotion, the business of the country has been performed. It has not been performed without any very heavy sacrifices. Since . . . 1831 fifty-eight European officers have held office in the province; of these five died, fifteen resigned on account of sickness, ten went away on sick certificate, one returned to England mad, and one lost his sight from overwork. It is high time that this overtasking should be stopped, and that no more demanded of the Mysore officers than can be performed with reasonable diligence, without certain injury to health, and abandonment of all the comforts and sweets of social life."[2] A superintendent was a judge, magistrate, and collector, responsible only to the commissioner for his work. This combination of offices was customary and expedient. One important qualification for a successful superintendent was his familiarity with the vernacular of his district. But slender prospects offered few inducements thus to qualify; and heavy work under the watchful eye of the commissioner left little opportunity of doing so. In 1856 one superintendent knew Kannada tolerably, another not fluently, the third not at all,

[1] *Ind. Pol. and For. Cons.*, February 10, 1844, No. 264.
[2] H. Ricketts's report, *op. cit.*, p. 594.

and the fourth nothing but Hindustani, in which he transacted his work.[1]

A superintendent was paid Rs. 1,600 a month, with a travelling allowance of Rs. 5½ per day. But he earned every pie of it. "It is a life of drudgery; and the wear and tear, mental and physical, excessive. But I have a natural pride in my position and a thorough confidence that I shall enjoy the support of my superior as long as I deserve it; and I am, therefore, well satisfied with being Superintendent of the Ashtagram Division of Mysore."[2]

As the work of the government increased, the superintendents were given the assistance of European officials with varying duties, which Cubbon explained by showing that "the country called Mysore is an aggregate of small, separate, independent principalities, no two of which ever had, in all respects, the same institutions and mode of management; each superintendent being solely and entirely responsible for the control of his own Division, he is left to arrange as he thinks best all the minor details of its management."[3] Normally a superintendent was allowed only one assistant. The extra official in the Ashtagram division was in charge of the duties of the Residency, of the pensioners residing in the Mysore district, and of the magisterial duties in the town of Mysore, which contained between sixty and seventy thousand inhabitants. These assistants were technically called junior assistants. The superintendents transferred much of their judicial work to them without surrendering their own responsibility for the right administration of justice. Some of them asked their assistants to take charge of the civil duties of a few taluks in addition to judicial matters, and settle the jamabandi on their behalf. The assistants were not expected to pass any qualifying examination until 1858,[4]

[1] H. Ricketts's report, *op. cit.*, p. 594, Appendix No. 611, p. 2126; Appendix No. 612, p. 2130; Appendix No. 613, p. 2134; and Appendix No. 614, p. 2142.

[2] *Ibid.*, Appendix No. 613, p. 2134.

[3] *Ibid.*, p. 596.

[4] *Ind. Pol. and For. Cons.*, No. 86, February 17, 1860.

after which they were required to show proficiency in the principles of local administration,[1] and in Kannada. Cubbon was opposed to any definition of the duties of these junior assistants, and also to the increase of their numbers, on the ground that they might usurp the superintendents' responsibility and power.[2] This was strange reasoning. If the superintendents had too much to do individually, relief could only be provided by appointing qualified assistants under them and by delegating some authority to them.

The establishment of a superintendent consisted of four main branches: daftar or accounts, English, maramat or tank repairs, and magisterial. The minor sections were: the kotal or confidential, firiyad or complaints, revenue, judicial, sayer, Khazana or treasury, anche or posts, and jails. Head and deputy sheristadars looked after the vernacular sections, and were paid Rs. 175 and Rs. 70 per month respectively. The monthly cost of each establishment was about Rs. 3,500.

The unit of administration was the taluk, and the amildar was the keystone of the arch. This office was the highest executive post then open to a Mysorean. What the superintendent was in the division, an amildar was within the taluk—a judge, magistrate, and collector. Compared with the company's tahsildar, he was more powerful but lower paid. Stokes, a superintendent, stated that "if we compare the extensive and important powers with which the Mysore amils are invested, and which though defined and regulated can scarcely be said to have been diminished by the recent changes, with those entrusted to the corresponding functionaries in the Company's territories, and advert to the further distinction which subsists between the two, inasmuch as the former are the native authorities of a native state, the latter stipendiary servants of a foreign government, we must admit that they ought to hold at least as high a station

[1] Under Devereux's management, suitable arrangements for books and examinations were made. *Ind. For. Cons.* (General), May 1862, Part A, Nos. 85–88; *idem*, September 1862, No. 44.

[2] H. Ricketts's report, *op. cit.*, p. 604.

in society, and that any difference in the external advantages enjoyed by the two ought to be given in favour of Mysore."[1] The amildar in Mysore possessed greater discretion in revenue and magisterial functions than his prototype in Madras, and also held civil jurisdiction in his taluk, which no tahsildar had.[2] On the other hand, the inspection of the amildar's work in Mysore was more minute and rigid; otherwise the appointment of European superintendents would not have been justified.[3] The salary of an amildar ran up through four grades from Rs. 70 to Rs. 150. This was, of course, an improvement on the old rates, but it was not high enough to prevent corruption. Power had always a saleable value, and custom cast a glamour over the transaction. In the past the amildars had been paid around Rs. 50, although no government could expect them to live decently on that pittance. It is doubtful whether the amildars had considered their government pay at all as the principal source of their income. Their real resources had been deductions from the pay of their subordinates, small individually but great in the aggregate; contributions from the ryots; bribes; and the use of money in the public treasury, only partially, if ever, repaid.[4] They had filled the vacancies in their taluks with their own men, and enjoyed free supplies, free carriage, free labour, and large discount on all purchases, especially on occasions of marriage and other ceremonies. The amildars under the commissioner, in spite of checks, continued to be as powerful as before and on a higher salary, though this was not high enough to end the old custom. Even when the prices rose about 1850, no increase was granted to them.

The chief assistants of the amildar in the headquarters were the peshkar (deputy) and the sheristadar (head

[1] *Ind. Pol. Cons.*, September 28, 1835, No. 79, Serial No. 2.
[2] *Ind. For. Cons.* (Revenue), July 1864, Part A, Nos. 71–73; *idem*, December 1864, Part A, Nos. 3–5.
[3] See *supra*, p. 153, and *infra*, p. 233.
[4] *Ind. Pol. Cons.*, September 28, 1835, No. 79, Serial No. 2; also *idem*, July 20, 1835, No. 40, Serial No. 5.

accountant). In one sense they were his rivals, but, having no independence, they could not but obey. Until 1835 there were two sheristadars, corresponding to the two daftars in the taluk office; but thereafter there was only one, the other being appointed a peshkar, if there was not one already in the taluk, or transferred to some other place.[1]

A sheristadar was paid from Rs. 20 to Rs. 50 per month, almost twice as much as he had been receiving under the maharaja. A peshkar was paid on the same scale.

Between the village officials and the amildar there were sheikdars, each in charge of a subdivision of a taluk.[2] Their duties were police and collection of revenue. Their pay ranged from Rs. 10 to Rs. 20 per month.

The village officials were the patel (headman) and the shanbhogue (accountant). Though the two were equals, one or other was usually supreme, in the richer areas the accountant being superior to the headman.[3] It was Cubbon's wish to restore the patel to his ancient status.[4] But the absence of a land survey, interested opposition of the amildars, complications of village life, and practical difficulties associated with the work, prevented him from achieving any progress in this direction.[5]

The patels and shanbhogues, like their subordinate servants in the village (the toti and the talari), were paid in a threefold way: by "aya" or general grain levy, "cash" or payment from the treasury, and "mirassi" or privilege in assessment. The first of these was universal, but the others were enjoyed only by some. But nothing was certain; the

[1] *Ind. Pol. Cons.*, June 1, 1835, No. 64, Serial No. 4.

[2] A detailed account of the village administration and of the duties of the shanbhogue, the shikdar, and the amildar is given in Morison's "Notes on Mysore," printed as Part III of the *Selections from the Records of the Commissioner's Office*, 1864.

[3] *Ind. For. Cons.*, July 1874, Part A, No. 1, para. 8; also the *Selections from the Records of the Commissioner's Office*, 1864, Part V, paras. 29–43.

[4] *Report on Civil and Criminal Judicature*, 1838, paras. 133–140; also *Ind. Pol. Cons.*, December 7, 1840, No. 76, paras. 4 and 5.

[5] See *infra*, pp. 234–235.

mode of payment was complicated, and the rates were extremely unequal. Much of this was due to the hereditary character of the offices and the subdivision of their incomes among several members of the family to which the office belonged. The quit-rent was paid by the shareholders of the mirassi land in fractional parts; sometimes the same man paid twice or thrice in order to release other members from the burden of payment.[1] Regarding the aya, the dishonest cultivator paid nothing, while the honest bore the whole. The annual cash payment from the treasury ranged between Rs. 6 and 6 pies for the shanbhogues, who numbered 457 in the Chitaldrug division, 1,004 in the Ashtagram division, 284 in the Nagar division, and probably 200 in the Bangalore division, making in all about 2,000.[2] The shanbhogues were as honest as could be expected. The patels were quite strong in the malnad against the shanbhogues, but in point of integrity they were not much better. The ryots and the village officials generally got on well enough unless the tyranny of the latter was excessive.

The village had its own servants, viz. the toti, talari, and nirganti. They, too, had several sources of income in theory; but, unfortunately, all that they could depend on was the grain contribution by the ryots, however irregular it might be. The talari and nirganti were principally revenue servants connected with wet cultivation. It was in the interest of the government, in view of the battayi tenure, to regulate the supply of water and to watch the state of the harvest to prevent serious loss to government. Toti was the lowest in the scale of menial servants. He was a sort of a village whip for the patel in the discharge of his police and revenue duties. The following description[3] of his duties suggests that he could have found no time for his own welfare.

[1] *Ind. For. Cons.* (Revenue), July 1874, Part A, No. 2, paras. 2–9.
[2] H. Ricketts's report, *op. cit.*, Appendix No. 611, p. 2124; Appendix No. 613, p. 2133; and Appendix No. 614, p. 2135.
[3] *Ind. For. Cons.* (Revenue), April 1878, Part A, No. 2.

1. Attending to the orders of shekdar, shanbhog, and patel;
2. Bringing the revenue defaulters before the same officials;
3. Conveying the "irsal" or collections to the taluk treasury;
4. Carrying takeeds from and to the shekdar;
5. Measuring lands in the presence of the revenue officials;
6. Patrolling the village;
7. Burying unclaimed corpses;
8. Removing dead animals;
9. Assisting the police when required;
10. Publishing proclamations by tom-tom;
11. Assisting the patel in the management of the cattle-pound and escorting unclaimed cattle to the taluk office;
12. Enforcing the attendance of ryots and others during jamabandi, etc.;
13. Assisting in the supplies;
14. Watching the tanks in the rainy season;
15. Collecting labour for any work under the orders of the higher authorities;
16. Watching battayi corps; and
17. Sundry other menial occupations.

The following questions were put to the superintendents in 1856 by Ricketts:—[1]

1. How do the shekdars check the shanbogues?
2. How do the amildars check the shekdars?
3. Are the shekdars and shanbogues trustworthy people?
4. Are the shekdars and amildars people of the country or foreigners?

The Chitaldrug superintendent answered as follows:—

[1] H. Ricketts's report, *op. cit.*, Appendix No. 611, p. 2124.

"The system of separate accounts kept by each official, each exercising supervision over the other, and of the ryot having in his book his own individual accounts, together with the facility of making complaints to the Superintendent, is the only check which, under present circumstances, it seems possible to exercise. The frequency of complaints requiring investigation shows that it is not quite sufficient. This also shows that the Shaikdars and Shanbogues are not always trustworthy. There is no doubt still too much submission on the part of the ryots to the cupidity of Native officials, who encourage the belief that they alone are the medium for good or evil towards them. Remissions, boons, etc., etc. (to the Ryot) are too often represented either as the result of successful intrigues on their part, and turned to immediate account, or the intended recipients are kept in ignorance of the benefit conferred, and the usual levies are exacted until such time as it might be dangerous to carry on the deception. Under all circumstances, however, the functionaries are probably as trustworthy as the present means of European supervision entitle us to expect; and the people are gradually shaking off that subserviency to old corrupt custom, which they find inimical to their interests, and are coming forward to represent their wrongs. . . .

"Neither Sheikdars nor Amils are necessarily natives of the Mysore country, nor are they of any particular caste; but they are all required to read and write and speak fluently the Canarese language, in which all business is transacted."[1]

The Bangalore superintendent sent in the following reply:—

"Each talook, with an Amil at its head, is divided, according to its fertility, extent or wealth, into a certain number of Hoblies, at the head of each of which is a Shaikdar, who is within that range what the Amil is to

[1] H. Ricketts's report, *op. cit.*, Appendix No. 611, p. 2124.

the talook and the superintendent to the Division. He (the Shaikdar) lives in the Hobly; he is purely a Government servant; he is answerable for everything, Police and Revenue, within his range; he is obliged to move constantly from village to village; whenever anything unusual occurs he must, on pain of dismissal, at once proceed to the spot, hold a summary investigation with the assistance of a Punchayet, and at once forward the proceedings and a report to the Amil, who, should it call for such a proceeding, either goes himself, or sends his deputy, the Paishkar of the Talook, to sift the matter, a sketch report being forwarded at the same time to the superintendent for information or instructions, as may be necessary. In all Revenue matters the Shanbogue is the Shaikdar's assistant within the Shanbogue's own range. . . . There may be, and there are no doubt, both among the Shaikdars and Shanbogues men very deficient in probity, but as a body they may safely be said, taking the highest standard of native morality as a guide, to be trustworthy, and to do their duty satisfactorily and well. But this may be attributed to the following reasons: With the exception of the Amils, Moonsiffs, and a few other functionaries of rank and position, whose dismissal must be sanctioned by the Commissioner, every public servant, in whatever Department, may be said to be at the absolute disposal of the Superintendent; so that when a case requiring an example comes before him, references, except in the cases above referred to, even from one Department to another, are unnecessary; for all Departments are in his hands, and therefore the punishment is immediate, and, with all due deference to adverse opinions on the subject, it may not be improper to state as an opinion here that, unless the Superintendent had this power, it is doubtful whether the work of the Division could be got through at all; and even if it was, it certainly would not be as honestly got through by the subordinates in their respective positions as it is at present.

"The responsibility is, however, great, and fear of it must be unknown.

"The Shaikdars are invariably paid servants of the Government, and the great body of the Public servants are either people of this country whose families have lived in it for years past. Some few are people from below the ghauts."[1]

The Ashtagram division superintendent replied as follows:—

"The former [the shanbogue], whose office is hereditary, is village accountant, and he is subordinate to the Shaikdar, who sees that the accounts are prepared, examines and checks them, and is jointly responsible with him for their accuracy. The Shaikdar again occupies the same position towards the Amildar as the latter does to the Superintendent. That is to say, he reports to him every occurrence in the Hobly, and is entirely guided by his orders. All offences of a trivial nature on the part of a Shaikdar are punished by the Amildar himself, by fine; while those of a more serious nature are reported to the Superintendent. The Shaikdars, considering the responsible nature of their office, the large sums of money that pass through their hands (in some cases as much as seventeen thousand Rupees), the smallness of their salaries, and the strong temptation they are subjected to, are, in the main, trustworthy. The Shanbogues . . . are not so much to be trusted, but the Sirkar suffers more than the Ryot, who at once presents himself before the Superintendent to complain if the Shanbogue or any other village officer attempts to levy any unusual fee from him; while, on the other hand, when the Sirkar is the sufferer, both the Shanbogue and the Ryot are alike interested in concealing it. . . . The Amildars, with three exceptions, are natives of Mysore, and the other subordinate native servants, with a few exceptions, are Mysoreans also."[2]

[1] H. Ricketts's report, *op. cit.*, Appendix No. 612, pp. 2129–30.
[2] *Ibid.*, Appendix No. 613, pp. 2133–34.

The Nagar superintendent replied:—

"4. . . . The great check, then, of the Shaikdar over the Shanbogue lies, not so much over the accounts, as to the manner in which the Shaikdar is enabled, by his Pahance [settlement] book, to control the commission of any fraud on the part of the Shanbogue in the state of the cultivation for the current year. . . . The Shaikdars . . . like all natives . . . will cheat if they can. But the opportunities for cheating or collusion on the part of these servants are greatly lessened by publicity in the distribution of the puttahs, which enables the personal malice of enemies of either party to gratify private animosity by bringing their frauds to light, while a strong hold is had upon the Shaikdar by a knowledge that his appointment depends on the honest discharge of his duties; whereas, as an incentive to this, he is aware that his future hopes of promotion rest thereon. . . . The greater proportion of them [shekdars] are, I believe, inhabitants of the Mysore Country.

"5. . . . The great checks of the Amil over the acts of the Shaikdar consist in the reports that he is continually receiving from him, many of which are simple replies to his orders . . . and through enquiry into complaints . . . or by the personal inspection of himself or his Peshcar, whenever they may proceed for any purpose into the Maganees [hoblis], he can satisfy himself of the truth or otherwise of these reports; and if there is any other circumstance of which the Amildar should be cognizant, such as the bursting of a tank, or other damage to any work of irrigation, report is immediately made of it. In fact, it is impossible for the Amildar not to be aware of everything that goes on in the different Maganees of his talook."[1]

There was no legislature in the state. Few laws were required. There were five codes of instructions prepared in 1834 for the use of responsible officials. They were the judicial regulations, the police hukumnama, the marama

[1] H. Ricketts's report, *op. cit.*, Appendix No. 614, pp. 2136–37.

rules, the general letter of instructions, and the old hukumnama to the amildars. Much was, however, done by circular instructions.

In theory, the orders of the governor-general, either in person or in council, were laws. But seldom did he exercise this power against the wishes of the commissioner. At first there was small inclination to introduce legislation, such as the laws against sati[1] and slavery,[2] which were not essentially needed in Mysore; and, further, the supreme government permitted the commissioner to introduce certain laws in Mysore as an experiment, in order that, if successful, they might be extended to the British territories. The legislation against institution fees and vexatious litigation offers typical examples of this policy. Macaulay, who stayed as Cubbon's guest at Bangalore on his way to Ootacamund,[3] wrote of the regulation against institution fees as follows: "This question was discussed last July [in 1834] at Ootacamund. I then offered all the opposition in my power to the project of establishing institution fees in the Kingdom of Mysore. The opinion of others, of Colonel Morison in particular, was that unless some check were provided all the rich would be laid under contribution by swarms of needy persecutors. The question was decided by the arrival of a Despatch from the Court, which positively prohibited the levying of any such tax. The experiment has now been tried; and the result has established the soundness of the reasonings which I then submitted to the Council. None of the evils which were predicted have followed.

"The letters of the Commission contain no trace of any such evils. Colonel Morison, with the candour which was to be expected from him, has informed me that the private accounts which he has received from that part of India lead him to believe that the experiment has turned out well, and

[1] See *supra*, p. 91. [2] *Ibid.*
[3] *The Story of my Life*, by Colonel Philip Meadows Taylor, 1877, new edition by Henry Bruce, 1920, p. 255.

that his apprehensions were groundless. It is with the greatest pleasure that I cite on this subject the testimony of my distinguished colleague, and I earnestly hope that in this attempt to extend to all India a reform which has been so successful in Mysore I shall have his powerful assistance."[1]

The story of the law against vexatious litigation has already been related.[2]

In the course of time this tendency changed, and the government of India was anxious to reverse the process, inclining to extend new laws to Mysore. In 1859 it asked Cubbon whether he would adopt the Punjab Limitation Act, and the Indian Penal and Procedure Codes. He replied in the negative, stating the grounds for his answer.[3]

The superior judiciary, as shown elsewhere,[4] was complicated. The position of the huzur adalat was anomalous. There were in it three judges of equal status but unequal pay, viz. Rs. 600, Rs. 500, and Rs. 400 respectively, doing work at the pleasure of the commissioner or the judicial commissioner, having no collective responsibility for any of their decisions, and open to the criticism of every law student. Ricketts observed that "on an average for five years this Court disposes of sixty-eight civil cases, original and appeal, and two criminal trials, per annum," and added that, if there were no political objections, it might be abolished.[5] Cubbon commented on this that, "On the formation of the Mysore Commission, it was specially laid down that the administration should be so conducted as to be in a position at any time to be restored into the hands of the Native Prince. With such a possible contingency before one, it seemed absolutely necessary to form and retain a bench of Native judges imbued with European[6] notions of equity

[1] *Ind. Legislative Cons.*, April 3, 1837, No. 16, Macaulay's minute dated June 27, 1835.
[2] See *supra*, pp. 49 and 50.
[3] *Ind. Pol. and For. Cons.*, November 11, 1859, Nos. 86–90.
[4] See Appendix A.
[5] H. Ricketts's report, *op. cit.*, pp. 591 and 603.
[6] See *supra*, p. 154.

and the general principles of the laws of evidence. In my opinion the experiment has been a very interesting one and has worked well. I should regret much to see this Court abolished, and I have no doubt . . . it will be made even more useful to the country than it has hitherto been. The late First Judge, Sashagherry Row and his successor, Ramaswamy Iyah, though not highly educated in the present sense of the phrase, have done honour to the native name by their learning, acuteness, and integrity. Besides, the abolition of the Huzoor Adawlut could not fail to strengthen an apprehension which is gaining ground daily, that an intention exists to exclude natives hereafter from high employment, in order to substitute Europeans in another place."[1]

It is doubtful if the judiciary was at all independent of the executive. That, however, was not Cubbon's or Bentinck's fault. The precedent according to which the judiciary had been organized in 1834 had favoured the combination of the two functions in one official from the top to the bottom of the administration, and could not be ignored. Yet, if a suitable illustration is required of the evils of this combination, the case of the Yelandur mortgagees[2] can be cited in the civil branch, and the case of Tillayya Pillay[3] in the criminal. Justice was more administrative than strictly judicial under Cubbon.

In the entire administration of Cubbon there were only two non-official bodies associated with the government, viz. the panchayats and the committee of education at Bangalore. There might have been personal consultations with influential persons, but none of them was more seriously employed or empowered to act.

As regards the court of directors, it controlled the country's destiny with paternal interest through the governor-general and the commissioner. The progress of the country

[1] H. Ricketts's report, *op. cit.*, p. 603. Cf. the statement of Bentinck, p. 154.
[2] See *supra*, pp. 132 and 133. [3] See *supra*, p. 139.

and the acts of the commissioner and the governor-general were regularly reported to it with a wealth of detail, and any errors noticed were instantly corrected, especially in the judicial sphere.[1] It rarely interfered with the policy of their servants, and generally seems to have been anxious in the case of Mysore to permit any course of action and to grant any amount of money likely to increase the general welfare of its people.

The short period of the control of the secretary of state over Cubbon's administration does not require notice, as his policy was practically the same as that of the court of directors.

(ii) Finance[2]

The total income of the state was 68 lakhs of rupees in the first year of Cubbon's administration, and 97 lakhs in the last. The court of directors, while reviewing the financial statements for 1853–54, remarked that "the revenues of Mysore had risen to the unprecedented amount of company's Rupees 82.07.926, although it was a year which, owing to the almost total failure of the latter rains, was unfavourable to the development of the resources of the country, as, we regret to learn, it was also to the health of the people. It appears, moreover, from the statements showing the amount of revenue realized in each of the twenty-three years from 1831–32 (when the administration of the country was assumed by the British government) to 1853–54 (the year last reported upon) inclusive, that in that period the revenue has been nearly doubled . . . and these good results have been attained coincidentally with a considerable diminution

[1] *India Bengal Despatches* (India Political), January 28 (No. 7) of 1846, paras. 1–8; also Ind. Pol., December 23 (No. 35) of 1846, para. 6; *Ind. Legislative Cons.*, July 3 (No. 12) of 1850, para. 8.

[2] The facts and figures in this section are derived entirely from the annual statements of receipts and expenditure, references to which are given in the Appendix, except those that are specially referred to in the footnotes. Appendix E.

of the burdens of taxation."[1] Again, in connection with the receipts of 1855–56, they observed that "the revenue which in the first year of British management was only Rs. 43.97.035, and which, after a progressive rise, ranged for some years between 70 and 80 lakhs, attained in 1855–56 Rs. 83.88.954, being the largest amount yet realized. The debt due to the British Government had been entirely paid off. The country was steadily advancing in population and prosperity."[2] In 1857–58 the income rose to Rs. 85.77.938, and in 1859–60 to Rs. 99.04.574. In the final year of Cubbon's office it fell to Rs. 97.27.974.

The ordinary sources of income were:—

1. Land revenue.
2. Customs duties.
3. Rent on monopolies.
4. Sundry farms and licences.

The additional sources were:—

1. Sandalwood.
2. Stamped paper.
3. Unclaimed property.
4. Gain in exchange and surplus in grain.
5. Fines and forfeitures.
6. Postage.
7. Recoveries of embezzlements.
8. Rent for the grazing farms of the company.
9. Experimental sheep, skins, and wool.
10. Paper manufactured in the treadmill.
11. Stoppages in the pay of the absentees.
12. Indigo.
13. Arrears from 1799 to 1800.
14. Profits of the mint until it was finally abolished.
15. Recoveries of former misappropriations.

[1] *India Bengal Despatches* (India Political), July 9 (No. 26) of 1856, para. 4.

[2] *Idem*, July 13 (No. 32) of 1858, para. 2.

The land revenue was the most important of all. While in 1834–35 it was 36.5 lakhs of rupees, it rose to 61.5 lakhs in 1859–60, excluding arrears in both the cases.

Of the three kinds of land, viz. the kayamgutta, the jodi, and the kandayam, that paid revenue, the last contributed naturally the largest sum. The government found no good reason to encourage the kayamgutta and jodi tenures. The following figures, which are averages for a series of years, will illustrate this fact:—

Years	Kayamgutta, Rupees	Jodi, Rupees	Kandayam, Lakhs of Rupees
1836–40	59,000	1.11.000	41
1840–50	66,000	1.34.000	48.5
1850–57	52,000	1.28.000	50

The increase in the incomes from the kayamgutta and jodi lands between 1840 and 1850 is only apparent. It is really due to the discovery of the old estates on these tenures and to the rigorous collection of the dues. There was no reason why they should have been any more favourably treated than the poorer classes.

The sayer came next in importance. The loss to government on account of the existence of a most pernicious system[1] was in the beginning great. In 1834–35 it brought in only 4.5 lakhs of rupees, but in 1860–61, in spite of the abolition of hundreds of taxes, it accounted for 10.4 lakhs. The mean income was 8 lakhs. But in 1846–47 there was an extraordinary receipt of 10.25 lakhs and in 1855–56 it fell so low as 6.5 lakhs, which was a little better than the sum credited from this source in the second year of Cubbon's administration.

The panchbob or rent on the five articles, viz. toddy, arrack, tobacco, ganja, and betel leaf, was another important source. The following statement will indicate the income from it:—

[1] See Appendix C.

Years	Minimum, Lakhs of Rupees	Maximum, Lakhs of Rupees
1834–40	3	3.5
1840–45	4	5
1845–50	5	7.5
1850–61	7	10

It should be noted that the excise on betel and tobacco was not entered in these accounts from 1838 and 1850 respectively, and that the increase from 1850 was only in toddy, arrack, and ganja.

The sundry small farms and licences accounted for 6 lakhs of rupees annually from 1841 to 1855. It is not known why the collection fell in 1855–56 to 3.5 lakhs. Perhaps it is the uncertainty which is its inherent character.[1]

The arrears were great in all departments at the beginning of Cubbon's administration. They had been divided into two parts, one the dues up to date of the transfer, and the other those arising during the administration of the commission. Those under the former head were calculated from 1801 to 1802, and consisted of the following items:—

1. Land revenue, sayer, and rents of monopolies.
2. Takavi advances.
3. The value of the battayi grain that had been sold.
4. Losses on the produce of government grain and in the value of grain owing to the adoption of a price lower than that which was entered in the jambandi statement.
5. Money taken or borrowed from the treasuries and not returned.
6. Amount of pay overdrawn by officials.
7. Unadjusted sums against amildars for unauthorized expenditure.
8. Sums proved to have been fraudulently received by the public servants and not recovered.

[1] *The Mysore Administration Report*, 1855–56, the last sentence under the "Miscellaneous" revenue.

9. Amount of embezzlements, etc., which the officials promised to prove on condition of being appointed to the offices which they held,[1] but did not prove.
10. Miscellaneous.

At the end of 1835–36 it was seen that the total of the balances up to the date of transfer of the country was K.P. 15,48,871–4–7½ (or above 45 lakhs of rupees).

The balances which accumulated during the management of the commission had amounted only to K.P. 2,78,569–1–4½ (or about 8 lakhs of rupees), under the heads of land revenue, sayer, and minor items.

Cubbon proposed to remit the old balance of 45 lakhs of rupees. He wrote the following paragraph in support of his plan: "The greatest difficulty has been found in prosecuting the examination of these arrears to any satisfactory conclusion. As far as the enquiry has proceeded, many of them have appeared to be merely nominal, while as regards others nothing is forthcoming that deserves the name of an account, and even the accounts where they do exist are so imperfect and confused that, where the debt is denied, there are no means of proving it. In the Nuggur division, for instance, it appears from a report recently received from Mr. Stokes, after a minute examination into the balances, that of C.P. 1,36,927 . . . not more than 4,000 could be considered recoverable with *some* difficulty, and the accounts are still more confused in the other Divisions. Whatever expectations, therefore, might have been formed at an earlier date of the realization of these arrears, or any considerable portion of them, there are now grounds for believing that the attempt would not only be unsuccessful, but be generally regarded as most unjust and vexatious, as there can be little doubt that in most cases the accounts are false, or that the money really due was collected by the public officers, whatever became of it afterwards. Of the arrears in question,

[1] For instance, see Appendix F.

consisting of the accumulated balances of many years, all that could fairly be considered as recoverable has been collected, or otherwise adjusted, since the assumption of the country to the amount of C.P. 4,92,956, and with regard to the remainder, I beg earnestly to recommend for the consideration of His Lordship in Council that the whole may be remitted, viz. C.P. 15,48,871-4-7½, deducting such sums as may have been or may be collected from the date of the compilation of this statement up to the date of the orders of Government being promulgated to the country, a measure of relief which would be acknowledged with gratitude by the people, and in its consequences be productive of great advantage to the general prosperity of the state. It was the opinion of Sir Thomas Munro that the custom of keeping the accumulating balances of a great number of years standing against districts did little else than furnish the means of corrupting the revenue servants and of oppressing the inhabitants, and I am sure that the investigation of the old arrears could not be prosecuted further in Mysore without opening a wide field to those evils. It is likewise obvious from the classification of the Balances under the late Government that the greater part of them were then considered irrecoverable; and it ought not to be forgotten that the attempt made to recover them was not only unavailing but one of the chief causes which led to the rebellion of 1830-31."[1]

It is interesting to read that, many months before Cubbon's proposal, the court of directors had made a similar suggestion regarding these heavy balances. They had remarked in 1837 that "the results of the revenue administration of the Superintendents during the first year are satisfactory. We observe the very large amount of outstanding balances which are reported to have been realized. We must express our anxious hope that this immediate gain will not prove to have been purchased at the expense of the

[1] *Ind. Pol. Cons.*, January 31, 1838, No. 58, para. 8.

permanent resources of the country. The tendency so prevalent among the revenue officers to swell the immediate receipts by enforcing demands which ought to have been abandoned will require to be counteracted by extraordinary watchfulness on your [i.e. the governor-general's] part; especially considering the deficiency of trustworthy evidence as to the capabilities of the country and the absence of the controlling authority of Revenue Commissioners or Board of Revenue."[1] Again, in 1838, in connection with the collections of 1835–36, they had remarked, a little before Cubbon's proposal reached them, that "as we perceive that Pagodas 5,83,750–0–3¼ were under the head of arrears, we cannot feel complete assurance that the revenue has not been augmented in amount by insisting on demands which might better have been remitted."[2]

When they, however, saw that Cubbon had adopted a measure which they considered to be the best, they remarked that it was "a most proper and necessary measure,"[3] and expressed their pleasure at learning of "the universal and unbounded satisfaction throughout the country"[4] at the sacrifice of 45 lakhs by the government in the public interests.

The statement of collections from 1834 to 1835 shows how heavy the arrears had been at the commencement of Cubbon's management. It may be briefly remarked that the collections for the years from 1799–1800 to 1831 during his time amounted to 1.5 lakhs of rupees, and that the figures given below (see page 186) relate to the subsequent years.

The 'forties were the most prosperous periods for the collections, in spite of the failure of rains in 1844. The extremely bad seasons in 1832–34 and 1852–54 caused much more inconvenience than the irregular season of 1844, resulting in the delayed payment of the demands. In a

[1] *India Bengal Despatches* (India Political), September 20 (No. 20) of 1837, para. 3.
[2] *Idem*, March 28 (No. 19) of 1838, para. 4.
[3] *Idem*, October 30 (No. 20) of 1839, para. 8.
[4] *Idem* (Political Miscellaneous), January 13 (No. 2) of 1841, para. 49.

despatch of 1844 the court of directors appreciated the fact that "a retrospect of the last eleven years exhibits . . . a steady gradual decrease of arrears with an increase of demand."[1]

(*In Lakhs of Rupees*)

Years	Total of Ordinary Revenue	Total of Arrears Collected
1834–35	66	18.5
1835–36	73	16.5
1836–37	67	10.4
1837–38	67	8.5
1838–39	70	10.7
1839–40	73	7.7
1840–41	73	5.1
1841–42	73	0.87.000
1842–43	71	0.23.600
1853–54	79.5	1.5
1854–55	76	1
1855–56	64	1.5
1856–57	86	18
1859–60	95	6.7
1860–61	92	9

Sandalwood and arecanut contributed the largest revenue of all receipts from the goods that were produced within the country.[2]

[1] *India Bengal Despatches* (India Political), February 28 (No. 6) of 1844, para. 6.

[2] The following statement is prepared from the statements found in the Appendices E, F, G and H of "General Memorandum," in the *Mysore Administration Report* of 1855–56, and in the annual statements of receipts and expenditure.

(*In Lakhs of Rupees*)

Years	Sandalwood	Tobacco	Coffee	Arecanut
1834–35	0.2	0.75	0.1	—
1835–36	3	0.75	0.1	2
1836–37	2	1	0.1	3.25
1837–38	1	1	0.05	3.25
1838–39	0.25	1	0.2	3.2
1839–40	1.6	1	0.2	3.40
1840–41	2.3	1	0.2	3.75
1841–42	2	1	0.2	3.8
1842–43	2	1	0.2	3.7

(*Continued at foot of p. 187.*)

In explanation of the contrast in the figures for sandalwood in 1835–37 and 1837–39, Cubbon wrote in 1840 that "the whole quantity borne on the public accounts at the date of the assumption of the country in October 1831 was candies 10,615, out of which tunkahs or assignments for about 1,760 candies had been granted by the Rajah's government to soukars [merchants], to whom, however, the issues had not been made. The wood was partly stored in warehouses, and partly left in the open air; the greater portion of it was not prepared or assorted, and owing to the manner in which the merchants had been permitted by the public servants to make their own selection of the best and newest wood, and to the little care taken of its preservation, much of what remained in the possession of Government was either damaged or of inferior quality. Sales of both old and new sandalwood were continued under the Commission for four years, but towards the close of 1835 it was found necessary, both to prevent peculation in future supplies to merchants, and also with a view to revive the former value and celebrity of the Mysore sandalwood by not mixing the old and deteriorated articles with that which

Years	Sandalwood	Tobacco	Coffee	Arecanut
1843–44	1.6	1	0.2	3.6
1844–45	2.5	1.25	0.25	3.5
1845–46	1	1.25	0.25	4
1846–47	1.6	1.3	0.3	4
1847–48	2.3	1.3	0.3	3.7
1848–49	1.3	1.7	0.35	4.4
1849–50	2.7	1.4	0.3	4.5
1850–51	1	1.2	0.3	4.15
1851–52	0.75	1.5	0.25	4.8
1852–53	1.56	1.1	0.3	4.4
1853–54	1.4	1.1	0.5	5
1854–55	1	—	—	—
1855–56	1.7	1	0.4	4.7
1856–57	1.5	1	0.3	4
1857–58	1.6	1.3	0.4	4
1858–59	2	1.2	—	4.2
1859–60	3	—	—	5
1860–61	2	—	—	4.5

was fresh and sound, to suspend all sales of the latter, until the whole of the former should have been cleared off. An engagement was therefore entered into with a Parsee merchant from Bombay for the disposal of all the wood, which, after supplying the quantity assigned by Tunkahs then outstanding both of the past and the present Government, remained in store on the 30th of November, 1835, and the whole of the wood, with the exception of about 800 candies, has been accordingly cleared off by the Contractor, and the proceeds carried to the account of the years in which the payments have been made.

"The wood now in store amounting to about 9,100 candies at an estimated value of nearly Rs. 4,00,000, is of superior quality to the bulk already disposed of, and advertisements have been promulgated for its disposal by public auction; but partly owing to a combination among the merchants, who are desirous of procuring the new wood at the inadequate rates which they had even previous to the assumption of the country paid for the old, and partly owing to the political cause above referred to, a small quantity only had been publicly sold, and few private offers worthy of acceptance have been received. It is possible that the merchants may continue to hold out for some time longer, in the hope of a reduction being made in the rate or of a reopening of the Chinese market; but I think it better to forego an immediate accession to the revenue by keeping up the proper price of so valuable a commodity until either the combination is broken or our relations with China are re-established."[1]

The small fall in the receipts in 1845–46, 1848–49, and 1850–51 is due to different causes. In the first of these years it was a result of a combination among merchants; in the second owing to the competition of the wood from the South Sea Islands in the China market; and in the third on account of the glut in the Bombay market, and also of the low price for the wood. The great fall in 1851–52 was a

[1] *Ind. Pol. Cons.*, April 20, 1840, No. 79, para. 6.

consequence of the unfavourable conditions in Bombay and of the small quantity of wood advertised for sale.

The other sources of revenue were not so important as any of those mentioned above. The following statement may illustrate this fact:—

No.	Sources	Minimum, Rupees	Year	Maximum, Rupees	Year
1.	Indigo	195	1837–38	10,805	1834–35
2.	Stamps	2,718	1855–56	19,978	1860–61
3.	Unclaimed property	4,384	1837–38	9,963	1856–57
4.	Gain in exchange of coins and surplus, in grain, etc.	1,254	1855–56	54,837	1836–37
5.	Postage	2,615	1834–35	16,784	1857–58
6.	Profits from the Mint	2,991	1843–44	29,603	1838–39
7.	Rent for grazing lands	23	1839–40	23,674	1845–46
8.	Recoveries of former misappropriations	23	1841–42	12,000	1836–37
9.	Recoveries of embezzlements	15	1855–56	21,065	1836–37
10.	Fines and forfeitures	10,043	1834–35	66,469	1857–58
11.	Pay of absentees	3,733	1846–47	24,990	1836–37

The total of the recoveries after 1834 of former misappropriations was about Rs. 33,000, while the recoveries between 1831 and 1834 had been about Rs. 63,000. Embezzlements during Cubbon's administration were detected and recovered to the extent of Rs. 66,000.[1]

The expenditure of the state rose from 65 lakhs in 1834–35 to 85 lakhs of rupees in 1860–61. The figures given overleaf (page 190) afford a comparative view of the growth in some detail between 1836–37 and 1858–59.

It is clear that the administration developed in all its branches, while its burden diminished during this long interval.

According to the annual financial statements, the services included general administration, revenue management, judicial work, military organization, medical services,

[1] The figures run up to 1858.

public works officials, and other minor establishments. The commissioner and his staff and office constituted the general department. The revenue charges included the expenditure on the treasury and post offices, kacheris of the headquarters, divisions and taluks, the salaries of the superintendents and the amildars, the sayer establishments, the kandachar, and (from 1847 to 1848) the panchbab kacheris of the moffusil. These were earning departments, and so expenditure was a charge against income.

(In Thousands of Rupees)

No.	Heads	1836–37	1857–58
1.	Services	24.00	34.00
2.	Debts and arrears	2.60	0.07
3.	Charitable grants	4.70	4.20
4.	Public works	1.20	4.43
5.	The maharaja	16.60	12.98
6.	Subsidy	24.50	24.50
7.	Seringapatam	0.23	0.33
	Total	73.83	80.51

The expenditure in each department varied from time to time owing to changes in the number of officials, their emoluments, and other items. In the revenue department this variation was unavoidable. A study of the extra charges between 1836–37 and 1857–58 reveals the direction in which that department developed.

THE REVENUE DEPARTMENT

Extra Charges

Items	1836–37, Rupees	1857–58, Rupees
1. Circuit expenses (cart-hire, cooly, etc.)	5,722	6,455
2. Rewards for killing animals	17,248	6,808
3. Batta to kandachar peons on extra duty	1,809	(See No. 9 below)
4. Indigo manufacture	469	11
5. Extra saderward	4,039	5,015
6. Cutting, assorting and billeting sandalwood	15,072	17,259

Items	1836–37, Rupees	1857–58, Rupees
7. Kandachar peons doing police work in Nagar, *plus* the hangami sibbandi (temporary establishments) generally	13,687	10,835
8. Sundry minor charges	8,852	26,129
9. Tent allowances and Batta	(See No. 3 above)	26,295
10. Manufacture of paper in the treadmill	—	303
11. Silk filature at Bangalore	—	145
12. Sayer and panchbab establishments	—	78,653
13. Forest establishments in the Ashtagram and Nagar divisions	—	5,606
Total	66,868	1,83,515

The total charges trebled in the course of twenty years. The touring of officials increased, though the charges for carrying kacheri records, etc., on circuit remained stationary. The country spent less on the special police in 1857–58 than in 1836–37, and entertained a smaller temporary establishment generally. The sayer and panchbab, which had been farmed out in 1836–37, were taken under the direct management of the government. The state undertook new enterprises, such as paper and silk manufactures, the forest conservation, and the central distillation, while it continued to hold the monopoly of indigo and sandalwood. All these were unexceptionable, and the increase in the charges was no more than proportionate to progress.

In the judicial department there was a great increase in expenditure. In 1837–38, Rs. 1,65,000 had been spent under all sub-heads. In 1857–58, however, the expenses rose to Rs. 3,58,000, i.e. the charges doubled. The following account explains this result:—

JUDICIAL DEPARTMENT

Charges under all Heads

Sub-heads	1837–38, Rupees	1857–58, Rupees
1. Commissioners' English Office (later Judicial Commissioner and his office)	5,735	61,552
2. Adalat kacheri	32,946	35,922
3. Munsiffs' kacheris	40,879	60,911

Sub-heads	1837–38, Rupees	1857–58, Rupees
4. Adalat sheristadars, gumastas, munshis, English writers, and others of the magistrates' department	30,144	52,659
5. Superintendent of Police in the Cantonment and his kacheri, and also of the police servants at Mysore	23,311	46,000
6. Servants of the jails	3,802	21,000
7. Contingent charges	1,737	5,209
8. Batta to public servants	1,149	2,684
9. Batta to prisoners	25,214	39,226
10. Extra Saderward	134	2,504
11. Hangami sibbandi (temporary poens)	146	1,896
12. Circuit charges	3	304
13. Cutwal's choultries	—	21,643
14. Kandachar peons, guarding the convicts on the roads	—	830
15. Rewards for catching thieves	—	340
16. Office rent	—	3,065
17. Sundry items	—	2,683
Total (approximately)	1,65,000	3,58,000

The most remarkable expansion is shown by the commissioner's office and the jails. The creation of the judicial commissioner's office was due to circumstances over which the local administration had no control. The increasing mass of arrears, which was a result of the utter impossibility for the commissioner to look after all civil and military affairs, and the necessity to relieve him at least in the important branch of justice, compelled the government of India to appoint a separate official for its management—an action that should have been taken at least ten years earlier, when the conditions were identical and the finances were not unfavourable. The grants for jails were liberal in expectation of moral rather than material results. In the above statement the adalat kacheri alone does not show any great change. If it did not require an increasing outlay, this was due to its own character. It served little purpose, as it has already been shown.[1] A greater outlay on

[1] See *supra*, p. 177, footnote No. 5.

it would have been unjustifiable. It would have been a different matter if its powers and jurisdiction had been enlarged, or if the judicial commissioner had been made the chief judge of the huzur adalat, sharing his duties with the other judges. No such idea, however, was entertained or considered feasible.

The military department spent between 9.5 lakhs and 11.1 lakhs of rupees every year. The silladars alone appropriated about 70 per cent. of the total. As these were maintained under the treaty of 1807, there was no chance of reducing this expenditure. The barr, on the other hand, might have been abolished, but the interests of the country rendered such a measure unthinkable.

The medical department was managed in the early days of Cubbon's administration at an annual cost of Rs. 23,000. In 1857–58 the amount was Rs. 51,500, in spite of the existence of two or three good hospitals and half a dozen dispensaries.

In contrast with this, the department of public works incurred an annual expenditure of 7.22 lakhs of rupees in 1857–58. In 1834–40 the charges of this department were between Rs. 74,000 and 2 lakhs of rupees, and in 1841–54 between 2 and 5.5 lakhs of rupees. But the reorganization in 1855 added nearly 1.75 lakhs. This was unjustifiable, as is proved by the records of the new department, by the correspondence between the government of India and Cubbon's successors, and by the attitude of Cubbon himself.

To understand the proportion of departmental expenditure the following table may be useful:—

Departments	1835–36, Rupees	1854–55, Rupees	1860–61, Rupees
1. General	1.84	2.21	3.00
2. Revenue	9.68	12.64	17.00
3. Judicial	0.72	2.52	4.10
4. Military	9.68	10.00	10.38
5. Medical	0.04	39.39	59.59
6. Public Works	0.75	6.26	4.18
Total	22.71	34.02	39.15

The debts and arrears of the past government had been extremely heavy. The amount of the latter has been already noticed.[1] The quantity of the former due to the Madras government, taking the principal and the interest together, was as follows:—

(In Lakhs of Rupees)

Year	Amount	Year	Amount
1839–40	5	1846–47	2
1840–41	4¾	1850–51	5
1841–42	6	1851–52	3
1842–43	3	1852–53	4
1843–44	3	1853–54	3
1844–45	3	1854–55	5
1845–46	1½	1855–56	2

N.B.—Principal, Rs. 10 lakhs. Liquidation, Rs. 50¼ lakhs.

This loan of 10 lakhs of rupees had been incurred and earmarked for the discharge of the arrears due to the public servants up to October 18, 1831, and of the public debts of the maharaja. The extreme uncertainty about the extent of these arrears and debts had naturally led to a policy of delay. But what surprises is that this Madras loan should have been kept undischarged until so late a date as 1855. While, in June 1848, the surplus was about Rs. 35 lakhs, the balance of the debt due to the Madras government was then Rs. 21,26,537.[2] The whole amount could have been paid off in two or three instalments and the state earlier relieved of its obligations. But, contrary to the expectations even of the court of directors,[3] Cubbon withheld payment for three years, allowing interest to accumulate. If he believed that the decrees of Grant, the commissioner for the maharaja's debts, might cause disbursements to a great extent, and that the prompt payment of those debts were quite essential to the economic and political interests of the state,

[1] See *supra*, pp. 72–73.
[2] *India Bengal Despatches* (India Political), October 1 (No. 34) of 1851, para. 4.
[3] *Ibid.*

he could still have continued to pay from one to two lakhs between 1847 and 1850 in liquidation of the Madras loan. Anyhow, the contrast between the principal of Rs. 10 lakhs and the total amount paid in discharging it is so great that it was too dear a price for the caution with which the problem of arrears and debts was approached.

The grants consisted of pensions, charitable allowances, and agricultural loans. Pensions had no connection whatever with the government service. They were paid to the Muhammadans, the poligars, and a certain Dr. Lewis on the recommendations of the maharaja. In 1835 Cubbon had, however, included Hiranyappa, a nephew of Purnayya, in the list of the Muhammadan pensioners of the mutfarkhat class; but the government of India forbade such a thing in future without its consent.[1] When, however, Cubbon recommended one Gundoopant for a pension in recognition of his distinguished services to the commission, permission was accorded at Rs. 2,375 per annum.[2] These two instances prove that the supreme government was opposed to pensions that were not political or obligatory in their character. The Muhammadan pensioners were of two classes, viz. the karabutdars of Tippu Sultan and the mutfarkats. The former were the relatives and connections of Tippu Sultan, residing chiefly at Mysore, Vellore, and Trichinopoly. The latter were attached to the silladars, but had no duties. Their connection with that body entitled them to a certain monthly payment[3] and to a certain rank in life. These appointments were in the maharaja's gift and depended little on any technical qualification. When the British assumed the government of Mysore, these rights were re-examined, and, where genuine, continued. But the later policy of the government, as has been already described, was opposed[4] to grants for more than one generation, thus inducing the younger members of

[1] *Ind. Pol. Cons.*, August 10, 1835, Nos. 60 and 61.

[2] *Ind. Pol. and For. Cons.*, March 20, 1857, Nos. 39 and 40.

[3] The details about such payments are not available.

[4] See *supra*, p. 70, footnotes 1–3.

a family to make themselves independent of such doles. The table given below shows the amounts paid in 1834–35 and 1857–58. The payments to the poligars are also shown, as the general policy towards them as well as the Muhammadans was the same.

Class	1834–35, Rupees	1857–58, Rupees
1. Karabatdars	1,22,906	28,088
2. Mutfarkats	73,879	17,416
3. Poligars	20,957	20,340
4. Dr. Lewis	1,512	1,512
5. Gundopant	—	2,375

Charitable allowances were of a different description. They related entirely to religious and semi-religious institutions, such as temples, mosques, schools, almshouses, and dispensaries. Smith gave the following account of these allowances: "A certain proportion of the revenue is set apart for charitable and religious purposes. The management of this sum is in the hands of the Head Native Assistant, who has an establishment especially set apart for this duty, the details being liable to the control of the Commissioner. A part of the money is employed in the establishment of Rest houses for native travellers, where, under certain restrictions, they can have food and shelter; and for the maintenance of small establishments at these houses, and for the repairs of tanks. A portion is also devoted to the repairs of pagodahs and the religious institutions of the country. A small sum has been granted from this fund to build and support a Hospital for Brahmins, attached to the Civil Hospital, which was much required, as the Brahmins suffered inconvenience when obliged to resort to the latter."[1] In 1857–58 the following sums were given:—

Institutions	Amount, Rupees
1. Pagodas, etc.	1,50,200
2. Mosques, etc.	93,842
3. Annachatrams or free-feeding houses	57,627

[1] Charles Irving Smith, *op. cit.*, p. 12.

Takavi or agricultural loans were not grants in the same sense as pensions or charitable allowances. They were advances of capital free of interest, made with the same purpose as underlies the modern co-operative movement. Without them the country would have been poorer in every respect. What is vital to the system was the promptitude of both grant and recovery and the due apportionment of the amount to the actual requirement, removing all chances of extravagance and idleness on the part of the cultivator. The form and method of payment varied with circumstances, and the loan might be sanctioned even by the amildars. As these were matters of mere convenience of the administration, it is not possible to say what Cubbon's policy was regarding these details. In some instances takavi was paid in three instalments corresponding to the three stages of sowing, watching, and harvesting, the responsibility for the determination of the stages being left to the taluk officials. The superintendent's responsibility was, however, as serious as the amildar's in whose taluk the loan was given. The table on page 198 illustrates the principles of Cubbon's system and also throws further light on its working.

Three conclusions can be drawn from these figures:—

1. There was a gradual reduction in the amount of the takavi from period to period.
2. The recoveries on the whole equalled the grants, the excess being perhaps the old arrears.
3. The receipts and payments, except in 1845–46 and in 1852–54, followed the seasonal conditions. On four occasions the two were equal.

The gradual decline in the applications for the loan was probably a direct consequence of the benefits of the earlier grants, and also of the rigour with which the advances were recovered.

It is not within the scope of this book to deal with the financial relations of Cubbon with the maharaja or with the

Year	Seasonal Condition, etc.	Advances, Rupees	Recoveries, Rupees
1834–35	Favourable	Not known	Not known
1835–36	Favourable	Not known	Not known
1836–37	Failure of rain Mortality in cattle	46,500	30,000
1837–38	Unfavourable Mortality in cattle	56,000	53,000
1838–39	Below the average	53,500	61,000
1839–40	Favourable	76,000	1,16,000
1840–41	Favourable Mortality in cattle	44,000	68,500
1841–42	Excessive rains	56,500	53,500
1842–43	Average Murrain among the cattle Cholera	61,000	76,000
1843–44	Average Murrain among the cattle Cholera	70,000	73,000
1844–45	Average Murrain among the cattle Cholera	58,500	59,500
1845–46	Most unfavourable	41,000	47,000
1846–47	Favourable	51,500	51,500
1847–48	Favourable	30,000	29,000
1848–49	Favourable	32,000	29,000
1849–50	Heavy rainfall	37,000	35,000
1850–51	Not unfavourable	23,750	23,750
1851–52	Satisfactory	29,000	29,000
1852–53	Very unfavourable Mortality in cattle	22,750	26,000
1853–54	Very unfavourable Mortality in cattle	16,000	17,600
1854–55	Very unfavourable Cattle mortality enormous	29,600	25,700
1855–56		18,250	8,700
1856–57		7,500	18,000
1857–58		8,000	6,500
1858–59		(not available)	(not available
1859–60		3,500	8,000
1860–61		4,250	4,000
	Total	8,76,100	9,49,250

details of the subsidy. The subsidy was regularly paid, as well as the fifth share of the maharaja according to the terms of the subsidiary treaty.

Seringapatam, as already noticed,[1] was still British territory. But in August 1830 the Madras government resolved to transfer the island to the maharaja for an annual payment of Rs. 50,000 in commutation of the revenue, and, accordingly, made over the island to him. Cubbon confessed that he did not have "the means of stating on what data the amount of rent was calculated, but it is clear that the actual revenue realized since the transfer of the island has been far below it, as shown in the accounts . . . and its capabilities are not such as ever to afford the promise of yielding a sum equal to the commutation."[2]

Year	Amount of Loss, Rupees	Year	Amount of Loss, Rupees
1834–35	23,800	1847–48	31,700
1835–36	25,300	1848–49	30,000
1836–37	23,000	1849–50	29,000
1837–38	27,600	1850–51	31,800
1838–39	25,600	1851–52	32,560
1839–40	20,400	1852–53	34,200
1840–41	24,000	1853–54	29,800
1841–42	27,600	1854–55	35,000
1842–43	27,600	1855–56	36,550
1843–44	26,000	1856–57	35,150
1844–45	26,800	1857–58	32,850
1845–46	28,600	1858–59	34,333
1846–47	27,000	1859–60	36,700
—	—	1860–61	29,800

t may be interesting to note that the loss tended to increase stead of diminish. This probably was due to the decline the island as a centre of social life and trade. In 1851–52[3] e population of the island was 12,744 inhabitants—2,777 en, 3,443 women, and 6,524 children under twelve years. e loss of receipts in that year was Rs. 32,560. The actual

[1] See *supra*, p. 130.
[2] *Ind. Pol. Cons.*, July 24, 1837, No. 36, para. 57.
[3] *General Memorandum*, Appendix I, p. 62.

receipts from 5,022 houses and 2,777 men were Rs. 17,440, giving an average of less than Rs. 3½ per house and less than Rs. 8 per man, which suggests that taxation was heavy, and it had a tendency to drive the population out of the island in search of better employment.

A comparison of the general receipts and expenditure shows that there was a surplus for nineteen out of twenty-seven years:—

Year	Net Surplus, Rupees	Year	Net Surplus, Rupees
1834–35	14,900	1848–49	3,50,000
1835–36	—	1849–50	4,00,000
1836–37	—	1850–51	3,70,000
1837–38	—	1851–52	4,72,000
1838–39	3,90,000	1852–53	—
1839–40	4,16,000	1853–54	5,00,000
1840–41	4,15,000	1854–55	—
1841–42	—	1855–56	1,84,000
1842–43	3,79,000	1856–57	7,00,000
1843–44	4,56,000	1857–58	5,41,000
1844–45	3,52,000	1858–59	1,02,000
1845–46	—	1859–60	18,86,000
1846–47	60,500	1860–61	12,39,000
1847–48	—		
		Total	92,27,400

The total of the surpluses, one crore of rupees, was Cubbon's financial gift to Mysore.

Nobody at the time knew how much this cash was or what it was for. The *Madras Daily Times* commented thus: "Sir Charles Trevelyan [a Madras governor] had an insatiable thirst for notoriety; Sir Mark Cubbon's monomania was a love of secrecy. . . . If the fault were General Cubbon's, he has done more than enough to atone for it many times over."[1] R. H. Elliott, a contemporary and a Mysore planter, wrote that "when Sir Mark Cubbon left office he handed over to his successor a treasury with a clear surplus of between half and three-quarters of a million, which he had saved out of the revenues of the province. . . . I am quoting

[1] The *Madras Daily Times*, October 31, 1861.

the direct evidence of a gentleman with whom Sir Mark had intimate official and friendly relations when I state that his favourite object in money-saving was the execution of two large irrigation works, which would have brought in an immense profit to the state. He saw very clearly that the true foundations for the safety of life, prosperity of the people, and the success of the administration lay in water, and water, and yet more water."[1] It is also probable that the surplus was also intended for any reorganization that the maharaja in the event of his restoration after Cubbon's administration might order.

(iii) Men

Sir Mark Cubbon was forty-nine when he was appointed the commissioner of Mysore. For twenty-seven years he held office, and then resigned. He was "striking and prepossessing in appearance, dignified yet simple and unassuming in demeanour, liberal to profusion, with an exquisite tenderness of sympathy."[2] He was a man of high ideals in personal life and official work.

It is said that "three names [for the Mysore commissionership] were placed before Lord William Bentinck: Mr. John Thomas, of the Madras Civil Service, Colonel Fraser, and Colonel Cubbon. The influence General Morison had with the Governor-General turned the scale in favour of his friend Cubbon."[3] The reasons are not far to seek. "Sir Mark Cubbon was constitutionally a peculiarly conservative and cautious administrator, which, in conjunction with his thorough acquaintances with the Rajah and the people of Mysore, pointed him out as the fittest man for ruling the country in accordance with the native system. His own

[1] *The Experiences of a Planter in the Jungles of Mysore*, by Robert H. Elliott, 1871, Vol. I, pp. 208–209, footnote.

[2] *Manx Worthies*, by A. W. Moore, 1901, p. 158.

[3] R. S. Dobbs, *op. cit.*, p. 113.

convictions entirely coincided with the instructions of the Governor-General, who directed that the European officers appointed to the charge of districts should administer the affairs of their divisions strictly in accordance with the designation of their superintendents—superintending native agency, directed and controlled by the energy and high moral principles of the Saxon race."[1] Secondly, "in Mysore, too, Sir Thomas Munro and Sir John Malcolm . . . commenced their careers, which afterwards became glorious. Sir Mark Cubbon was familiar with many of the actors and leaders of those days, and no doubt imbibed many of the principles of the distinguished men . . . and followed the example which they set him."[2] Lastly, "he was particularly in his element when engaged in disentangling webs of native intrigue, and fought the natives with their own weapons, with one noble exception. He abhorred and never used espionage, and often spoke of the failure of Europeans who descended to such tactics."[3] In the words of Major Bell, "Colonel Cubbon understood men and things; he knew how to guide and govern."[4]

His assistants were men of his type—endowed with personal character and an infinite zeal and capacity for work. Chalmers, the Ashtagram superintendent, was popular in the right sense. He was extremely pious, and had won the regard of Cubbon.[5] But he strained himself so much at his post that he departed a blind man from Mysore. Cubbon described him as one who had entered the Mysore service "at a time [May 1834] when the confusion prevailing in the western districts and the imperfect organization of the public departments, filled by native servants who were rather a hindrance

[1] The *Bangalore Herald*, March 21, 1866, R. S. Dobbs's speech at the inauguration of the Cubbon Memorial, India.

[2] *Ibid.*, L. Bowring's speech. See also *Ind. Pol. Cons.*, December 28, 1842, No. 91; and *Ind. For. and Pol. Cons.*, September 14, 1844, No. 184; also R. S. Dobbs, *op. cit.*, p. 113.

[3] R. S. Dobbs, *op. cit.*, p. 113.

[4] *Memoir of General John Briggs*, by Major Evans Bell, 1885, p. 216.

[5] R. S. Dobbs, *op. cit.*, p. 115.

than a help,"[1] made his secretaryship under the commissioner extremely laborious. He departed the country "threatened with total blindness."[2]

Dobbs was an Irishman of fine instincts; he was pious (enough to be a missionary), sportsmanlike, bold, and sympathetic. He was at his best in police duties.[3] He was a pioneer in the construction of public works. His name is ever associated with the Chitaldrug division. His regard for his "dear old chief" was high; he said that he venerated "that great statesman, Sir Mark Cubbon, and . . . learned much from his wisdom and great experience." It is no small tribute to his character that he alone has left a biography of Cubbon for posterity.

Smith and Green were the two arms of Cubbon. They, too, worked nearly as long as Cubbon in Mysore. Cubbon's credit for the public works is largely due to Green, while the entire credit for the medical organization belongs to Smith.

There are scores of other names of which much can be written. They reflect great honour on the head, who was responsible for their selection and training. Colonel Clarke, the secretary of the commission, was an assistant commissariat officer in the Bangalore cantonment before he was nominated in the Mysore service. Under Cubbon's training he became so indispensable to the commissioner that he was not even allowed to join his regiment when that was ordered on active service. Cubbon's argument was that Clarke was thoroughly acquainted with the history and records of the commission, the views of the several successive commissioners, the characters of servants, and possessing the correct knowledge of the language of the country.[4] R. Venkata Row of Travancore, Cubbon's first head sheristadar, was described by Morison on the eve of his departure in 1834 as "a public servant, whose labours will always be

[1] *Ind. Pol. Cons.*, November 29, 1841, No. 127.

[2] *Ibid.*

[3] R. S. Dobbs, *op. cit.*, p. 14.

[4] *Ind. Pol. Cons.*, May 25, 1840, No. 100.

found ready in promoting the public interests which I have always found to be his first object."[1] In recognition of the honourable services rendered by him, Cubbon recommended him for a title at the hands of the governor-general.[2] Seshagiri Row of Cochin was the first judge of the huzur adalat, of whom Morison had recorded that he had "never known any native so completely independent on the performances of his public duties."[3] He continued to discharge his duties with distinction until his death.[4] Krishnamma Naidu, Cubbon's second head sheristadar, was an equally worthy servant of the commission. Chennappiah and Goondopant have already been noticed briefly.

Garrett, the missionary and educationist, was a great spirit of the age. He had a striking insight into the character of Indians, and succeeded in accomplishing what the Abbé Dubois had despaired of achieving. He discovered that he could serve his adopted country more by increasing enlightenment than by sowing the seeds of Christianity. He rallied round him the young men of the day and taught them western science and literature, emphasizing the theory that the future of any country depends on the proper training of its boys and girls.

[1] *Ind. Pol. Con.*, September 24, 1834, No. 82, Serial No. 10.
[2] *Idem*, June 13, 1838, No. 58.
[3] *Idem*, September 24, 1834, No. 82, Serial No. 10.
[4] See *supra*, p. 178.

CHAPTER V

CRITICISM

The records of government use the following terms as expressive of the relations between Mysore and the company: "Supreme Government," "Subordinate Co-operation,"[1] "Sovereign,"[2] and "Foreign State." The first and the last only were used in the days of Cubbon, while all were adopted after him. But the spirit of all the expressions is found in the correspondence between Cubbon and the government of India.

The words "Supreme Government" had a clear and definite meaning signifying the unquestionable authority of the governor-general-in-council. This was most certainly true of Mysore. The creation of the state was recent and foreign, although the dynasty was ancient. It was a product of the Partition Treaty of 1799 which had contemplated its creation in the fourth and fifth articles, but was definitely created by the subsidiary treaty of the same year. The sixteen articles between the company and the maharaja reserved important military and political rights for the company, which became practically a sleeping but superior partner with the right to dictate to or suspend the authority of the more active member. The appointment of prime ministers, the judicious management of the finances, and the arrangements for law and order were subject, if necessary, to the company's approval; but under normal conditions it did not care to exercise its veto.[3] Circumstances in Mysore between 1825 and 1830, however, obliged the company to intervene. The governor-general then felt himself compelled to assume

[1] *Ind. For. Cons.* (Military), February 1873, Part A, No. 2, para. 2.

[2] *Idem* (Judicial), March 1866, Part A, Nos. 17–22, the governor-general's question to J. Graham, the advocate-general, para. 3.

[3] *Report on the Insurrection in Mysore*, 1833, paras. 18–22.

the administration in accordance with the provisions of the subsidiary treaty and exercise the superior authority vested in him. This is the best proof of the British supremacy over Mysore. It is necessary to remember in this connection that this province affords a good illustration of the fact that the British supremacy is to be judged by not only the legal position which the government of India holds in relation to the state, but also by the incidents and duties which might not have been anticipated in its charters or treaties.

The term "Sovereign" as applied to the maharaja seems to be not strictly accurate.[1] It is evident that his sovereignty must have been limited by the company's right of control. The subsidiary treaty left all residuary powers with the company, allowing only certain powers to the maharaja. Neither the maharaja nor Cubbon who succeeded to his responsible office questioned the right of the government of India to decide important questions. The governor-general was constantly asking Cubbon why the state had maintained its own contingent while defence of the territories belonged to himself, why the irregular horse had been scattered over the country instead of being concentrated at one place, and whether expensive firearms were necessary for that military body in the country.[2] This right to question was derived, not merely from his position as a trustee for the management of the province, but by his powers to practically limit the local army.[3] The paramountcy of the government of India in Mysore was made evident in the abolition of customs such as sati, female infanticide, slavery, in the extension of its own schemes for the suppression of crimes like thuggee, and gang and torchlight robbery, and in the matter of posts, telegraphs, and sea-salt. It is true that the maharaja had not waited for any orders on these subjects; but the fact remains that if he had not willingly obeyed he would have

[1] *Ind. For. and Pol. Cons.* (Political), March 1862, Part A, No. 157. Canning applied it only to the company.

[2] See *supra*, p. 33.

[3] The subsidiary treaty of 1799, Articles 8–10.

been forced to. Cubbon, for instance, was called upon to permit the extension to Mysore of the general operations against the thugs. He delayed action on the supposition that there was no need for such a course. But he was soon ordered to comply.[1] The government of India again continued to watch with anxiety and concern all the capital punishments. Cubbon's responsibility in those cases to the higher authorities was as great as the maharaja's had been. Lastly, the maharaja had relinquished his silver coinage, and Cubbon carried this logically to the adoption of the company's currency for all purposes. The government of India did not in the least interfere with the autonomous powers of the local ruler, but refused to recognize his absolute freedom to administer the country.

The term "subordinate co-operation" seems to be a more proper expression for the status of the maharaja. He was to co-operate in two ways; firstly by governing the country satisfactorily, and secondly by contributing men and money for the company's military expenditure. He was a partner in a commonweath and an associate in a common cause. The maharaja and the company were one in regard to foreigners, though between themselves the former was subordinate to the latter. The first article of the treaty declared that "the friends and enemies of either of the contracting parties shall be considered as the friends and enemies of both"; but the articles from the eighth to the tenth required the maharaja to give way to the company in military matters, while the rest of the treaty bound him, under certain conditions, to surrender even his civil authority. The treaty definitely made the company the guardian of the country and assigned an inferior part to the maharaja. The company thereupon organized a military force and kept it in readiness for action while the maharaja provided facilities for it.

Cubbon, as the representative of the maharaja, admitted

[1] See *supra*, p. 46.

supplies to the cantonment free, gave sites for buildings in the military station, and provided guides and coolies for troops on the march.[1] He maintained an establishment of bearers for the European officers travelling from Madras to Ootacamund. He ordered within Mysore the laying out of a telegraph line between those two places through Bangalore and Mysore.[2] He opened the passes in the western ghats partly to shorten the distance between Madras and Mangalore. He advanced money to the commanders of the regiments which happened to cross the country, but ran short of funds before crossing its boundary. He controlled the liquor traffic and the sanitary arrangements of the cantonment for the benefit of the subsidiary force. He supervised the work of the mail runners closely. The travellers' bungalows, which he built in such large numbers, were equipped with good furniture and necessary staff.[3]

At the same time he was, unlike the maharaja, not too easy in these matters. He was earnest to protect the interests of the country which had been committed to his charge. There was no provision in the treaty of 1799 that the troops on the march were not to pay for the material supplies and personal services rendered to them. Following from this was the privilege of compensation for any loss sustained and the immunity from trickery and coercion on the part of the passing company's officers. How Cubbon protected the rights of the local community against some alleged encroachment has been described already.[4]

On two occasions Mysore under Cubbon rose to its full height as an allied state. In 1837, when Canara was in rebellion, the government of Madras depended almost wholly on the resources of Mysore for its campaign against the rebels. Cubbon carried out his operations with discretion

[1] See *supra*, p. 129.
[2] *The Mysore Administration Report*, 1855–56 (Electric Telegraphs).
[3] The *Madras Daily Times*, October 21, 1860, Leader.
[4] See *supra*, p. 129.

and military skill.[1] Again, in 1857, when the north of India was in confusion owing to the mutiny, Cubbon and the maharaja managed to keep Mysore out of its influence.[2]

The idea of subordinate co-operation involved the isolation of Mysore in the general Indian political system. The sixth and seventh articles of the subsidiary treaty prescribed this policy to the maharaja. "He will carefully abstain from any interference in the affairs of any State . . . no communication or correspondence with any foreign State whatever shall be holden by His said Highness without the previous knowledge and sanction of the said English Company Bahadoor." "He will not admit any European foreigners into his service without the concurrence of the English Company Bahadoor." In other words, the external relations of the state were to be exclusively connected with the company.

It was in accordance with this principle that Cubbon carried on his relations with the adjacent and even distant states. The Raja of Rewa wanted an elephant; Cubbon answered him through the government of India. The Raja of Cochin was received with the usual honours only by permission of the supreme government.[3] Although Coorg was administered by Cubbon at the same time as he was in charge of Mysore, his official designation and functions were distinct. The number of East Indians in the service of Mysore was regularly stated in the returns to the supreme government.

Cubbon's administration illustrates the advantages of subordinate co-operation. Aitchison thought in 1875 that "protected by the powers of the British Government from the invasion of foreigner foes, threatened by no warlike and

[1] *Ind. Pol. Cons.*, June 5, 1838, Nos. 103–109. See also *Memoirs and Correspondence of General James Stuart Fraser*, 1885, p. 30, Letter to Frederick Adam.

[2] *Ind. Pol. and For. Cons.*, January 21, 1859, Nos. 171–174, and June 1860, No. 357.

[3] *Idem*, January 7, 1853, Nos. 100–102.

hostile neighbours, supported against wanton insurrection and needing no costly armies, helped in all difficulties by the friendly counsel of the Viceroy of India, assisted, if need be, in their works of public improvement by all the scientific skill which the British government itself can command, benefiting largely by the railways, canals, telegraphs, and other works constructed from Imperial resources, with no fluctuating budgets, with access to the Imperial treasury on favourable terms,[1] and no necessity for heavy loans; it would seem as if every condition that Native Chiefs could desire for uninterrupted progress and administrative improvement were theirs—British India is yearly making rapid strides in the march of improvement. The future of Native States will greatly depend on the relative pace at which they follow. If the connecting chain be ever lengthening, it will snap asunder. In this respect the British Government has its duties and responsibilities as well as the Native Chiefs. It must endeavour to give strength and vitality to the Native Administrations, at the same time giving scope to develop their own system of government in their own way in all proper directions, and looking upon their best interests as equally with its own, bound up in the common good of the British Indian Empire."[2] Perhaps Aitchison had the case of Mysore in mind in unfolding the advantages of an ideal subsidiary system.

But the secret of success lay neither in the wisdom of a treaty nor in the energy of the government of India. It lurked in the character of the ruler. Aitchison himself recognized this. He said that "unfortunately, however, the Native Indian Governments are personal Governments; the preponderance of good over evil depends less on opportunity than on the character of the Chiefs and their Ministers. . . . Perhaps in another generation the notion of 'patrimonial

[1] Mysore borrowed 10 lakhs of rupees at 5 per cent. per annum from Madras.

[2] *The Native States of India*, by C. U. Aitchison, 1875, pp. 39–40.

kingdoms,' which Vattel characterizes as 'degrading to human kind,' will be as dead in India as it is in Europe, and the doctrine that the King exists for the people will no longer sound strange in the ears of the Native Princes."[1] Cubbon had used almost a similar expression in one of his letters to the governor-general: "Throughout the whole of this allusion to the past and present state of Mysore His Highness appears to look upon the country as his private property, 'that hereditary patrimony bequeathed to me by my sires, the sovereigns of the soil, calculated to yield him a certain income, but which, by some untoward circumstances, with which His Highness had nothing to do, became temporarily embarrassed, and was transferred to the charge of other parties until the encumbrances were discharged and the proprietors extricated.' But very different is the view of Mysore and the character and acts of its ruler, represented in the letter of the Governor-General addressed to the Rajah in October 1831."[2]

While this was the relative position of the governments of India and Mysore, and the character of the state which the commission ruled, the administrative work carried on by Cubbon was framed on the very best lines of Anglo-Indian administration. All contemporary and later official and non-official opinions support this view.

R. H. Elliott, a Mysore planter who arrived in the province in 1855 and stayed on until 1892, wrote in 1871 that "Mysore, up to the introduction of that Public Works Department which Sir Mark Cubbon vainly strove against, was an instance of a model Indian Government under central authorities rising one above another, each authority being complete within itself."[3] "If any English statesman wants to comprehend the history of Indian misgovernment; and if any

[1] C. U. Aitchison, 1875, p. 40.
[2] *Ind. Pol. and For. Cons.*, September 14, 1844, No. 136.
[3] *The Experiences of a Planter in the Jungles of Mysore*, by Robert H. Elliott, 1871, Vol. I, p. 326.

one wishes, in especial, to understand how the greatest financial prosperity and general contentment can be turned in a few short years into a state of things bordering on financial difficulties and general uneasiness, he has only to compare Mysore as it was under Sir Mark Cubbon with the state of that province at the present moment. . . . I am informed on the best authority that for the last year or two the government of Mysore has had some difficulty in making its receipts balance its payments. . . . I am quite aware that Sir Mark's government had its defects, but they were mainly defects which must always exist all over India, and which are unavoidable where you must employ petty native officials. The points to be kept steadily in view are, that Sir Mark's reign was popular, and financially successful."[1]

C. Rangacharlu, an Indian civilian who became at the rendition the dewan of Mysore, remarked unofficially that Cubbon's "administration was conducted upon practical rules intended to meet actual wants, and which were in accordance with the ideas of the people. Speculative administration was yet unknown. Peace and order was at once restored to the province as the consequence of a regular government. The incidence of the land-tax was lowered wherever it was oppressive, and, to the great relief of the ryot, numerous cesses were abolished which had originated in the prevailing idea of later native governments, that the sovereign had a right to turn to his account every incident in the life of the subject in return for the protection afforded to him. And at a later date the abolition of the transit duties in the tract of a similar measure carried out in the British territories created an active trade which brought high prices and prosperity to the ryot and an increase of revenue to the government. Roads were at the same time made to meet the wants of this increasing trade, with an energy and economy unknown to the more recent days of

[1] *The Experiences of a Planter in the Jungles of Mysore*, by Robert H. Elliott, 1871, Vol. I, pp. 208–209.

departmental organizations. The administration of justice, civil and criminal, was conducted upon a system and code of rules which, though somewhat crude, were intended to meet actual wants and were intelligible to the people; and the judicial officers were aided by a system of punchayets which, though they could not have risen above the corruption of the officers by whom they were convened in cases in which influential interests were at stake, contributed to some extent to popularize the rules of judicial administration. But a grave defect in the system was the great latitude of authority which it conferred on the government officers, and which could not have been exercised with scrupulous adherence to justice amidst the general corruption which then prevailed in the highest courts of justice. The idea of a pure administration calculated to release the ryot from a perpetual helpless dependence on the government officers was quite in advance of the age, and the want of it was little felt by the ryot himself, then scarcely emerging from a long impoverished condition resulting from low prices and high government assessments; whilst the feeling of personal attachment and friendship which [?] the then head of the government made him indulgent to weaknesses in his dependents, native and European, who filled the principal offices in the administration."[1] But in the latter part of his book, Rangacharlu, while commenting on the financial policy of Bowring, thought that on the whole "the principle of releasing the ryots as far as practicable from the trammels of the petty officials has made no progress, and perhaps has no existence in the policy of the British administration of Mysore, which seems to be only remarkable for the tenacity with which it clings to small items of revenue on the one hand, and on the other for the extravagance with which it wastes the revenue in organizing useless establishments."[2]

[1] *The British Administration of Mysore*, by a Native of Mysore, Part I, 1874, pp. 7–9. The dewan C. Rangacharlu has been declared to be the author.
[2] *Ibid.*, p. 32.

The *Madras Daily Times* wrote in April 1861 as follows: "In 1834 a sole commissioner with four Superintendents of Divisions and a staff of Assistants were appointed to manage the country in the name of His Highness the Rajah of Mysore. The Superintendents on entering on their duties found a state of anarchy and confusion, of oppression and neglect which can hardly be conceived by those who see Mysore as it now is. The amlahs were universally corrupt, and the police as universally connected with the robber classes who were the dread and terror of every village. A traveller passing through the country on a moonless night was startled by the watchcry passed on from village to village, for it is a fact that the adult male inhabitants kept watch night after night, from evening till morning, lest their homes might be attacked by those plundering bands. Terrible as this state of insecurity was, the Brahmin officials who had long with impunity used their power only to amass riches for themselves and families, were still more dreaded. By this oppression and the neglect of tanks and other works of irrigation, the revenue had decreased more than one-half, and the state had become embarrassed with debt amounting to sixty lacs of rupees. . . .

"We may here allude to some of the acts of the late esteemed commissioner [Cubbon] who has most steadily and carefully advanced the conditions of the ryots and people generally; avoiding all display but working quietly and effectually, and doing as much as was possible under the hampering instructions issued by higher authority. On assuming charge in 1834, he remitted unrecoverable balances that had accumulated for the previous 35 years, put a stop to the system of selling offices and lands, of forced labour, and the numerous exactions so skilfully practised by the native officials, especially with regard to the agricultural class. The courts were reformed, the judicial system simplified, professional vakeels discouraged, justice brought within the reach of the poorest suitor, and the Punchayet system

confirmed under strict supervision. Fourteen lacs per annum of vexatious taxes have been gradually abolished, monopolies put an end to, and the ryots in every way encouraged. The silk manufacture was encouraged to such an extent that the exports of this material alone amounted last year to 15 lacs of rupees. In the same year 2,500 tons of coffee values on the spot at £32 per ton or £80,000 were exported as also 1,200 tons of potatoes. Excellent roads have been made and bridges built in all directions. Wealthy natives encouraged to build chuttrums and musafirkhanas, vaccination introduced, breeding of horses for the mounted police, successfully carried on, etc. There are no arrears of revenue. Distraint of land is unknown and advances are not required. The revenue has risen to 99 lacs for the last year, notwithstanding the remission of the 14 lacs before mentioned, and the continuance of ancient and charitable institutions to the amount of 10 lacs."[1]

In a letter, which was not in the least official, the maharaja wrote to General Fraser in England in September 1861, "I have not words to express how greatly my feelings were shocked when the news of General Cubbon's death was announced to me. In him I have lost a valued friend and well-wisher, and the public service one of its most honorable members.

"In regard to the administration of my country . . . I have nothing to add but that its affairs are conducted on the same broad principles of government as were introduced and matured by General Cubbon."[2]

The contemporary official view of Cubbon's rule is expressed in a stronger language than the non-official one which has been so far described. The secretary of state spoke of "the high character of Sir Mark Cubbon; and the general administrative ability displayed by him during a connexion

[1] The *Madras Daily Times*, April 12, 1861, Leader.

[2] *Memoirs and Correspondence of General James Stuart Fraser*, by Colonel Hastings Fraser, 1885, p. 453. The maharaja's letter to General Fraser, third and fourth paragraphs.

of more than twenty-five years with the Mysore territory."[1] The court of directors "observed with feelings of satisfaction and approbation the energetic and sustained efforts of General Cubbon, during a period of more than twenty years, to improve by a wise direction of every department of the administration the condition of the country entrusted to his care. These efforts have been distinguished by an enlightened liberality no less than by a sound judgment, and their results have been in a high degree beneficial to the people of the country, and honorable to the British name."[2] The government of India, while appreciating the amount of progress achieved in Mysore under Cubbon, summed up their account thus: "In short, the system of administration which has been established, whether in the Fiscal or Judicial Department, although it may be, and no doubt is, capable of material improvement, is infinitely superior to that which it superseded; and has, within itself, the elements of constant progress."[3]

It seems unnecessary to add to these extracts other contemporary views relating to Cubbon's management of Mysore. The court of directors praised his system and services more often than anybody else.[4] Dalhousie recorded a minute on the eve of his departure in appreciation of Cubbon's work.[5] Grant, a colleague of Dalhousie in the India Council, entered his own review of Cubbon's achievements.[6] But official and non-official opinion of the succeeding generation also may be worth noting.

Sir James Gordon, the last chief commissioner of Mysore, wrote that "a great deal had been doubtless thus accom-

[1] *Secretary of State's Despatch* (India Political), January 12 (No. 1) of 1860, para. 6.
[2] *India Bengal Despatches* (India Political), July 9 (No. 26) of 1856, para. 6.
[3] *Ind. Pol. and For. Cons.*, February 22, 1856, No. 125.
[4] *India Bengal Despatches* (India Political), September 19 (No. 54) of 1838, para. 3; *idem*, October 30 (No. 20) of 1839, para. 5; and *idem*, February 20 (No. 14) of 1856, para. 2.
[5] *Board's Collections*, Vol. 2626, Draft No. 125 of 1856, para. 11.
[6] *Ind. Pol. and For. Cons.*, February 22, 1856, No. 123.

plished with prudence and judgment, and in a very quiet and unpretending manner, and as long as Sir Mark Cubbon remained, any radical change in the constitution of the Commission or the form and method of administration was stoutly resisted; but the work to be done had been growing apace. The revenue to be collected was double what it had been on our assuming the country, and though it is true that it had been greatly simplified in detail by the abolition of many petty and vexatious taxes, yet it can be readily understood that the very enquiries which had to be instituted before revisions of taxation could be effected necessitated a large amount of work, and were after all only evidence of the administrative activity of the times. With the advancement of the country its wants grew, and though any radical changes were resisted it was inevitable that all institutions should expand to meet the growing wants: the Marammat Department for the execution of public works, which had in 1834 consisted of small establishments under the Superintendents, all directed by a single European Officer at headquarters, had in twenty years' time grown into a Department of Public Works with the Province divided off into Executive Engineers' charges; the requirement of the country in medical aid had long since led to the institution of a second Surgeon's charge at Shimoga, and there were eight stations with dispensaries in charge of an Apothecary. At the same time—in the year 1856—the pressure of Judicial work upon the Commissioner grew so great that the appointment of a Judicial Commissioner became a necessity, and one of the first subjects which engaged that officer's attention was the necessity of organizing a department to direct education, the germs of which were already apparent in Anglo-Vernacular schools at the Division headquarters, either managed by Government or materially subsidized. It was at the same time too that the Commissioner recognized the necessity of adopting measures for conserving the forests of the country and for the more

efficient and economical working of sandalwood, from which Mysore had derived so constant and considerable a revenue."[1]

Non-official accounts of Cubbon's administration are indeed few in the period after the rendition. *The Times* of London wrote in 1884 that "the present satisfactory condition of Mysore is due solely to the interference of England and the long assertion of our official authority. Whether as a precedent of intervention, or as an unanswerable proof of the benefits conferred by English rule, there could not by any possibility be a stronger example than Mysore."[2] The newspaper, *Bangalore Examiner and Daily Post*, the only contemporary local newspaper available in England (but not in India), makes no particular reference to Cubbon. Representative Assembly proceedings, including the dewan's presidential addresses, are also silent. Information on Cubbon after 1881 is very little.

Sir K. Sheshadri Iyer, the dewan of Mysore who succeeded Rangacharlu, contrasted the two periods of the British administration in Mysore, viz. 1831–61 and 1861–81, as follows: "The first epoch was marked by the steady progress of administrative reform in all departments without introducing a radical change into any, and at the close of it there remained in the public treasury a surplus of over a crore of rupees. The second epoch saw both the beginning and the end of a change which had for its object the organization of every department of the administration in accordance with the standard prevailing in the British Provinces. It was decided not to maintain an unfructifying cash balance in the treasury; large sums were spent on the tank serial system and upon roads in all parts of the province; the introduction of European officers, the formation of new departments, and increased pay to subordinate native establishments involved material additions to the ordinary expenditure of the administration, and the grievous famine of 1876–78 crippled

[1] *The Mysore Administration Report*, 1880–81, para. 16.
[2] *The Armies of the Native States of India*, 1884, p. 95.

all revenue resources and substituted a debt of 80 lakhs where there had been an invested surplus of 63 lakhs."[1] If these points are borne in mind, the benefits of the British rule in Mysore, summarized by Mr. M. Shama Row, an authority on the history of Mysore, do not require any comment. He says that "the half-century of British administration has, if it has no other claim to the grateful memory of the Mysoreans, at any rate this one strong point in its favour—that where there existed formerly personal caprice and administrative chaos, it has substituted a constitutional fabric of Government, resting on its own foundations and to a considerable extent independent of the personality of the ruler for the time being. The people of Mysore owe a deep debt of gratitude to the paramount power for granting them this boon of government. But this is not all. To the British we owe our complete liberty of speech and perfect security of life and property, the scrupulous impartiality of our judicial tribunals, our roads and hospitals, and our schools and Municipalities. The agriculturist has been placed under obligation by the fixity of the tenure of his land and the definitiveness of his assessments. The trader has profited considerably by the increase of commerce due to the creation of facilities of communication. In short, it may be asserted that there is hardly any one from the prince to the peasant who does not cherish a kindly regard for the British administration under which he lived and under which he progressed. Of course, we are certain that our readers will not understand us as meaning that the British regime had no defects in it. For instance, while the trading and other classes prospered, the industrial classes languished. We may also mention the extinction of the Panchayet system and the disruption of the village commune. But no human institution is perfect. Taken all in all, we make bold to say that the management by the British of the trust committed to their care has

[1] *A Memorandum on the Finances of Mysore*, by Sir K. Sheshadri Iyer, 1884, p. 8.

enhanced their reputation as successful administrators and has engraved their name permanently on the hearts of the Mysore people for generations to come."[1]

It is obvious from all the above quotations that the critics have looked at Cubbon's work from different standpoints. Justice, finance, and the administrative machinery constituted the main subjects of official examination, while industry, trade, and communications engrossed the attention of the non-official group. Briefly, efficiency was the standard of the official judgment, and utility that of the non-official.

The reason for the difference in the angle of vision is not far to seek. The officials felt that they had a great responsibility in the commission, and therefore looked at it from above. Being foreigners, their knowledge of the country and the people could not be equal to that of the local individuals. They had to rely on the proper assistance and co-operation of the latter. But the character of these assistants, excepting a remarkable few, was far from satisfactory, and the only thing that could be done to improve them was to place a high value on their virtues, especially in those spheres which demanded much honesty and a great sense of duty, viz. law and finance. It is no wonder then that they came to the primary notice of the higher authorities.

So far as the people were concerned, they wanted good government. They looked up for substantial favours. What could the government do to satisfy their aspirations but to promote industry and commerce on the most economic lines? But to the government every scheme of development meant additional expense; and at a time when the state was saddled with heavy financial obligations, no large project could be undertaken without much thought and preparation. In the twenty-seven years of Cubbon's management more than two-thirds of the time was spent in paying off debt and in meeting deficits due to bad seasons. The rise in prices

[1] *Ten Years of Native Rule in Mysore*, by Mr. M. Shama Row, 1891, p. 29.

deprived the state to some extent of the advantage of the rising revenues, and the increasing work of the administration in all branches demanded a reform in the establishments. On all these accounts the state could not undertake many schemes in quick succession. Cubbon had intended to construct two or three big reservoirs, and bring many more acres of land under wet cultivation. But he was not destined to carry out his work. Had he succeeded in this, later generations would have held him in even higher esteem. But even as the things stood, he was entitled to popularity and praise.

It should be noted that the criticism of Rangacharlu is more serious than that of Mr. Shama Row on the shortcomings of the British commission, though their attacks are not specifically against Cubbon. Rangacharlu accused Cubbon's administration of two grave defects:—[1]

1. Great latitude of authority to high officials.
2. The absence of feeling for the ryot.

As regards the first of these, he appears to have forgotten that the concentration of powers was the very essence and the sole instrument of efficiency of the administrative system in those days in Mysore. An amildar, shorn of any portion of his supreme authority, was inconceivable and impracticable. There would be none to obey such a reformed official within the taluk, especially at a time when obedience to authority was not common virtue. Similarly, a superintendent would have been unsuccessful at the head of his division had he been less impressive as a representative of the central government. The conditions of the times and the custom of the country required a "patriarchal system of government"[2] and a "paternal despotism."[3] The character of a government depends partly on the public spirit of the people.

[1] *The British Administration of Mysore*, *op. cit.*, p. 8.
[2] *Ind. For. Cons.* (General), September 1862, No. 45, para. 16.
[3] The *Bangalore Herald*, March 21, 1865, Dobbs's speech at the inauguration of the Cubbon Memorial.

Cubbon desired a government supported by intelligent and educated men. But to his misfortune there were few such men in 1834. He started, however, a central English school at Bangalore in order to train men eventually for responsible posts in the government, and succeeded in it. It must be remembered that Bowring's materials were the products of Cubbon's labours, and it was the presence of capable Indians in 1862 that argued for the reorganization in that year, more than Bowring's enumeration of the defects of Cubbon's administration. The whole process was bound to be slow and gradual. There could be no dramatic touches in this evolution. Rangacharlu himself admitted that "a pure administration . . . was quite in advance of the age."[1]

The second criticism—viz. the absence of feeling for the ryots—is not true of Cubbon. For it will be evident from the foregoing pages that the principal motive of the government under Cubbon was the welfare of the ryots who had been poor, oppressed, hopelessly sunk in degradation. Indeed, so early as 1836, the court of directors drew pointed attention to the great "feeling for the ryots"[2] which Bentinck's system had displayed. Cubbon repeated this phrase in almost all his important orders to the superintendents.[3]

Mr. Shama Row criticizes the British administration in two other respects, viz.:—

1. The decay of the industrial classes.
2. The abolition of the panchayat system.

The latter was certainly no act of Cubbon's. It was brought about by Bowring. Cubbon was deeply attached to the association of the people in judicial matters. The former, however, was partly true. It is not true that industry in general decayed owing to Cubbon's policy. The encouragement of sericulture, coffee, and sugar is a patent fact. But against

[1] *The British Administration of Mysore*, *op. cit.*, p. 8.
[2] *India Bengal Despatches* (India Political), February 12 (No. 5) of 1836, para. 7.
[3] *Ind. Pol. Cons.*, May 18, 1835, No. 107, Serial No. 1.

this must be set the decline in cotton, earth-salt, and indigo. Weighing the two together, it is true that the country lost more than it gained. It is to be noted, however, that the responsibility was not entirely Cubbon's. Bowring protested against the encroachment of the supreme government on some of the financial resources of Mysore, but got a severe reproof.[1] Cubbon did not attempt this; he knew that his powers were limited in matters affecting the interests of the supreme government.

In comparison with other Indian provinces, Mysore certainly ranked among the best. This applies not only to the machinery, but also to the achievements of the government. The Panjab and Berar may afford more outstanding examples of British work in India than even the great presidencies, and thus be considered superior to Mysore under Cubbon. But they had this advantage over Mysore under Cubbon, that they became British territories (considering Berar for argument's sake as such) twenty years after Mysore had been assumed, and the government of India had during this period passed through a momentous stage of its career and acquired ever-growing experience of Indian administration. The creation of the so-called non-regulation provinces was characteristic of this development in the outlook of the supreme government, promising better modes of administration to these two areas. Moreover, the Panjab was close to the seat of the governor-general, and Berar was so small that errors could quickly be corrected. Mysore under Cubbon, on the other hand, had no such advantages. It had all the inconveniences of a subsidiary treaty. Cubbon was ordered to carry on his work on the lines of least resistance and in imitation, as far as practicable, of Munro, Elphinstone, Jenkins, and Malcolm. The government of India had no independent suggestions to make. It relied on Cubbon's character and judgment. The distance between Calcutta or Simla and Bangalore was so great that

[1] *Ind. For. Cons.* (Revenue), December 1864, Part A, No. 30, para. 4.

complete dependence on the orders of the supreme government would have been disastrous to Mysore. No exact comparison, then, between the administration systems of the Panjab or Berar and Mysore under Cubbon can be made. They were not contemporary administrations or states of equal importance. But they do offer similar types of statesmanship.

The Lawrences of the Panjab represented a remarkably vigorous type of Anglo-Indian administrators. Their work was essentially military. The Panjab had just been conquered and annexed; the inhabitants were more warlike than the people of any other province in India; and the frontier question had been merged with the local or provincial problem. "The Punjab Board had been set a task impossible to speedy and satisfactory accomplishment by any save a Hercules among administrators. On the one hand a conquered people, sullen and vicious, brave and apt in war, insolent in proportion to their ignorance, hating the foreigner and resolved to place obstacles in the way of reform; a vast country, stretching for five hundred miles north to south and nearly as much east to west . . . a country without roads, and practically without laws. . . . On the other hand, a few Englishmen. . . . The Board's first need was to disarm the people and so render hopeless any attempt to break out."[1] Sir Henry Lawrence undertook this work, and accomplished it with little difficulty, the people of the Derajat being permitted to retain their weapons for defence against the tribesmen. He organized the "Piffers" and the Corps of Guides, recruited the Gurkhas, and organized a police, more than half of which was military. He suppressed dacoity within four years, and rendered life and property secure. These were accompanied by the abolition of taxes on at least forty articles, the extension of the Grand Trunk Road from Delhi to Peshawar, the construction of a highway from Lahore to Multan and the Bari Doab Canal, and many other useful

[1] *The Panjab under the Lawrences*, by F. P. Gibbon, 1908, pp. 159–160.

works. "After three years' work the Board was able to report that '1,349 miles of road have been cleared and constructed; 2,487 miles have been traced, and 5,272 miles surveyed all exclusive of minor cross and branch roads.' Waste lands were reclaimed; trees were planted by the million and existing forests preserved; the peasant's claims to his fields were satisfied; the breed of cattle was improved; tobacco, cotton, tea, sugar-cane, and other crops were introduced from Bengal, and all industries encouraged."[1] These disarmed the spirit of discontent, turned hatred into respect, and convinced the people that less licence might be consistent with greater freedom.

In 1853 the province was placed under a single commissioner for the same reasons that had operated in Mysore. Sir John, who was the first chief to be appointed, continued the beneficent work of the Board. Until 1856, when the shadows of the Mutiny fell upon the country, "there was little change in the policy of the Punjab. Roads, inundation canals, and other public works were extended; industry and education were encouraged; the survey was completed, and the revenue assessed according to the quality of the soil. The village community system was made use of, a community being assessed, and the lambardars of the village proportioning to each man his share. These headmen were also held generally responsible for the behaviour of their villages, and their authority was upheld.

"Nothing in the Punjab was too small for the Chief Commissioner's consideration. He studied not only the men but their fields and crops and wells; he criticized the breeds of cattle and horses and praised or made suggestions; and he practised as well as preached his doctrine that work was the highest duty of man."[2] From 1859 the Panjab was a lieutenant-governor-generalship, and the Lawrences' career also came to a close in that country at the same time.

[1] *The Panjab under the Lawrences*, by F. P. Gibbon, 1908, p. 167.
[2] *Ibid.*, p. 207.

The work of the Lawrences within these ten years (1849–59) was certainly great. They had ample money and assistance. They worked so hard that their health, like Cubbon's, was almost ruined. They received a full measure of encouragement and support from Dalhousie. Their policy was: "In the revenue: to have very light settlements. In judicial matters: to do as much justice as possible under trees in the open air before the people. In jails: to take immense pains with the prisoners, considering that we are responsible for their lives and health and morals, if we put them into durance. In material improvements: to go ahead at a tremendous pace and cover the country with the means of communication—roads, bridges, etc. In policy: to be very conciliatory to the chiefs of our own territory, very friendly and non-interfering with neighbouring courts."[1] "In the years immediately following the annexation, Sir Henry's exceptional insight into Oriental character, his personal acquaintance with the people and with his assistants in their own homes, was all-important. He acted in accordance with the advice he gave to his subordinates:—

" 'I hope you always bear in mind that in a new country, especially a wild one, promptness, accessibility, brevity, and kindliness are the best engines of government. To have as few forms as possible . . . to be considerate and kind, not expecting too much from ignorant people; to make no change, unless certain of decided improvement in the substitute; light assessment, considering the claims and privileges, even when somewhat extravagant, of the privileged classes, especially where they affect Government, and not Ryots.' "[2]

It seems hardly necessary to point to the close parallel between the two Lawrences and Cubbon. Their policies and achievements were almost identical. John Lawrence, who was connected a little longer with the Panjab than his brother Sir Henry, and Mark Cubbon were the favourites

[1] *The Panjab under the Lawrences*, by F. P. Gibbon, 1908, p. 190.
[2] *Ibid.*, p. 170.

of Dalhousie, who indicated his equal regard for them by recommending them for the K.C.B. at the same time.

But Sir Mark's services were longer, earlier, and even more notable than those of the Lawrences. The most difficult period of the Panjab administration was faced by a Board, in which the two Lawrences were a majority. During the Mutiny Sir John was not alone in dealing with the rebels. Besides, the brothers had greater freedom, more money, more European assistants, and a more business-like atmosphere to work in. Their health failed within ten years. Sir Mark Cubbon, on the other hand, began his career at the head of the Mysore state in a humbler way. His predecessors in office had left him a legacy of trouble by irritating the Muhammadans and inamdars. He was alone on the field, his European assistants few, and the conditions under which he was to govern highly irksome. His treasury was empty, the state highly indebted, and the people little disciplined. The army and the police, whom the Lawrences could trust, had to be reorganized in Mysore before they could be relied on. Slowly and steadily Cubbon pursued his goal, and, grasping the first chance of ordering general improvements, he began the construction of roads, bridges, and buildings, the establishment of schools and hospitals, and the revival of industries. It is worthy of note that the policy of the Lawrences, described above, was identical with Cubbon's; but Cubbon's had been worked out before the rulers of the Panjab thought of it. Adherence to forms was never agreeable to Cubbon, and his instruction to his superintendents foretold the sentiments expressed in the Lawrences. The character of the two administrations—viz. the Panjab and Mysore—was the same; the rulers entered upon their duties with the same love of the work, the same spirit of service and sacrifice, and the same statesmanship.

Berar was a territory which, having been assigned by an Indian prince to the British, has been ruled for over three-fourths of a century in trust in accordance with a treaty

relating to it. In these respects it offers a close comparison with Mysore, which was held similarly in trust for half a century. But the parallel ends here. Mysore was assumed for a political object, while Berar was taken for a financial purpose. The welfare of the people and the enforcement of an old treaty were the prime motives in the former case, while the guarantee of funds for the company constituted the principal object in the latter. The former was an "assumption" according to an existing treaty, but the latter was an "assignment" accompanied by a new treaty.

The administration of Berar was never hampered by restrictions regarding the introduction of British laws and justice (though technically the Acts were "applied" by the Foreign Department), the employment of Europeans, or financial expenditure. The government of India was always free to manage it. Though the administration of this small tract resembled that of Mysore in several matters, the study is interesting and illuminating only after 1860 in both the cases.

This date is important in British Indian history. It marks the close of the era of personal rule in all the British territories. The government, in general, became more scientific, formal, and rigid, governed by rules and regulations. Power passed from the individual to the secretariat, from the man to the machine, and from the personal to the impersonal.

This change may have been beneficial in some cases; it may have given India a uniform British government, and the government of India may have assumed a more real general responsibility for the welfare of the Indians and guaranteed their prosperity. But the opportunities which gifted officials at the head of provinces had enjoyed disappeared for ever. In a leading article the *Madras Daily Times* brought out in 1859 the great contrast between the two types of Indian administrations in a telling manner.

"It is impossible to pass from the Carnatic into Mysore without observing the striking contrast which the one

presents to the other. On either side of the fine trunk road which leads from the presidency to the borders of Mysore there is scarcely an oasis on which the eye can rest with pleasure in the wide and cheerless waste; the people are poor, their huts are wretched, and even the travellers' bungalows along the way are mean, filthy, and poorly furnished. But when once the boundary line is crossed, a pleasing scene presents itself. The country around as far as the eye can reach is under cultivation, and 'blossoms like the rose,' the bungalows are spacious, airy, and well provided with every requisite, and though the population of the table-land may have no better opportunities of intellectual improvements than are possessed by the scorched and squalid millions of the plain, they have that air of independence and self-reliance which easy circumstances invariably create. At all events the traveller pleased with the verdure of the country and the industry of the people, and who has consoled himself, moreover, with a comfortable meal in a clean and handsome resthouse, may naturally be supposed to look more favourably upon the people of a country where such gratifying conditions exist than on the denizens of a region where there is much to revolt the stomach and little to please the eye. The Carnatic, at least the portion of it of which we write, serves as a foil to the thriving and charming kingdom of Mysore, and the termination of what is agreeable and the commencement of what is poor, thriftless, and depressing marks most distinctly the boundary line that separates the two.

"It is well worth while to mark this contrast and determine, if we can, the causes which produce it. That some portion of it is attributable to the salubrious climate and fertile soil of Mysore is undeniable, but there are some of its features for which neither of these conditions is sufficient to account, such as, for instance, the inferiority of the public buildings belonging to our government, and the poverty of the country which lies on the borders of Mysore and which must therefore possess

the same description of soil as well as an equal elevation. Besides, though we cannot create artificial breezes as refreshing and agreeable as those enjoyed by our fortunate neighbours, nor mitigate the fierceness of the burning sun that parches the plains of the arid Carnatic, we can remove some of the obstacles that stand in the way of cultivation, supply by art the moisture which nature denies us, and increase at least the fertility of our soil if we cannot make it equal to the rich and productive country which proved a mine even in the days of Hyder and his son. But hitherto we have accomplished little. Here and there has a step been taken in the right direction. The trifling experiments we have made only serve by the comparatively great results that followed them to display our supineness and timidity in a more disadvantageous light, and while Tanjore supplies a proof that wonders might be wrought, the prosperity of Mysore rebukes our inactivity and compels us to inquire the causes of our inferiority to our nearest neighbouring state.

"We have already noticed the difference of soil and climate and are willing to make every allowance for the mutual advantages which one country possesses over the other, but we maintain that the immense difference that exists cannot be accounted for by these advantages alone, and that no small share of our inferiority is attributable to the nature of our government. Mysore has a commissioner who nominally has little independent authority and who is really as uncontrolled as the czar himself. His position excites no fear of his pretending to an equality with the magnates of Calcutta. His place is sufficiently well defined without the imposition of any humiliations to remind him of it. In appearance he does the behests of authority Supreme—in reality he does just what is right in his own eyes. He is the servant of the Supreme Government, and therefore—however paradoxical it may seem—completely his own master. In a word, he is the Governor-general's Agent and has therefore the Governor-general's aid in the prosecution of his schemes, he makes

no pretensions to independence, and has therefore the fullest independence conceded to him. Madras, on the other hand, has a governor between whom and his master the gulf is not *very* wide, and this governor has counsellors, very worthy and very able gentlemen who receive larger stipends than are given to England's cabinet Ministers, and who fret and fume at their want of power and do not anything more than save money and who agree with all the world in thinking it a very sorry sham to maintain at a frightful cost a powerless council whose advice is only asked as a matter of form and which exercises no authority. It is quite impossible that anybody so magnificent as 'Governor-in-council' can consent to do the bidding of Calcutta secretaries who are nowadays the sovereigns of India. There is a dignity to be maintained on one side and power to be exercised and made unpleasant on the other. Schemes of improvement may be very good, and the most benevolent wishes for the ryots and the most laudable anxiety for the revenue of Madras may not be unfelt by the greatlings of Calcutta, but all the ryots of the state might be washed away by the next inundation, and the revenue might dwindle down to infinitesimal proportions and any calamity you please might befall the state before the supreme authorities would bate a jot of their authority or omit an opportunity of teaching a pretentious body that its worst offence is to forget to keep at a proper distance.

"It seems as if our generous masters considered the assertion of their authority as paramount to any other consideration in the world, and our position renders us unfortunately the most proper objects for a wholesome and admonishing display of their power. . . .

"Besides the unfortunate constitution of our government, the practice of appointing the head of the state for a term of five years only is also, in our judgment, prejudicial to the interests of the country. . . . In Mysore we see an illustration of the advantage of appointing a man of great intellect and

energy to the chief position in the state and leaving him to perform the duties which he thoroughly understands as long as he has health and vigour to discharge them, instead of removing him at the very time when he knows his business best; but *we* apprentice needy noblemen to the trade of government for five short years, and when their time is up, we refuse the opportunity of plying a trade which it cost us 50 to 60 thousand pounds to teach them! *we* are left to the tender mercies of medical students, while Mysore has the advantage of a skilful, eminent, and experienced practitioner. It is specially desirable that public attention should be called to this matter *now*. . . . Let public opinion be heard and heeded here as it is at home, and we venture to say that ere many years have elapsed such an improvement will be wrought in the state of Madras as will bring her to an equal condition of prosperity with Mysore—or at least but little short of it."[1]

If the above account is true, it appears that Mysore, in the first half of the nineteenth century, was the best governed province in south India. Hyderabad between 1820 and 1853 had been suffering terribly from disorganized government. Travancore had a tolerably good government; but it was not in the least progressive. If the statements in the Madras papers and other documents are in any way reliable, neither the Nizam's nor the Travancore maharaja's administration up to 1861 was benevolent. It should not, however, be supposed that there were no defects in the Mysore administration under Cubbon. But they were mainly unavoidable.

However justifiable the superintendents' excessive powers were, they were in some cases a source of tyranny and corruption. No superintendent could successfully manage a division of 7,000 square miles, with twenty or more taluks in the charge of different types of amildars, without delegating some of his duties to his subordinates. If he were strong and clever like Chalmers, Dobbs, or Haines, he could do much

[1] The *Madras Daily Times*, October 21, 1859, Leader.

good; but if he were weak or sickly, like Cunningham, his assistants would usurp his authority. It was well known that the rules were few while the responsibility was great. The scope for misconduct was very wide.

Secondly, the amildars had too many duties. The court of directors asked the governor-general whether the amildars could do their work satisfactorily in every department of government, especially in the police branch.[1] Cubbon replied that "the Amil has sufficient time both to his Revenue concerns, and the duties of the Police, which mutually give and receive assistance, and that the separation of these duties from his office would tend to lower him in the eyes of the Ryots, to embarrass him in the execution of his revenue functions, and to diminish that respect towards the office generally, in the Talook, which it is so indispensable to uphold."[2] No further question was raised upon this subject by the court or any other body. It was taken for granted that the administrative hinge was the amildar. The tradition in the country favoured that theory, and there existed no good reason to depart from it. But in the past the amildar had been a far more respectable and powerful person than he was under the commission. The latter cut off his illicit income, his influence with the head of the government, and any initiative that had belonged to his office. People with a charge against him could in the latter days communicate it by petition to the commissioner for redress. He could no more exercise patronage within his taluk. He was becoming a servant of all but a master of none. This great reduction in his status had not been accompanied by a corresponding diminution in his official duties. There was naturally some disobedience and great discontent on the part of the amildars. But Cubbon would not move one inch from his resolve. He faced the opposition calmly and allowed it to die away. He

[1] *India Bengal Despatches* (India Political), September 25 (No. 45) of 1835, paras. 57–62.

[2] *Report on Civil and Criminal Judicature in Mysore*, 1838, para. 116.

was not at all anxious for a speedy reform. He tolerated the evils incidental to an old and worthless system with perfect equanimity. In the Madras presidency the tahsildars received more pay for less work, though their taluks were rather larger. They had no judicial duties, and their police work was not half as arduous as it was in Mysore. A similar system might have been introduced into Mysore by Bentinck or one of his successors; or, at least, the taluk establishments might have been sanctioned on a more liberal scale. But no such idea was ever entertained. The amildars were made to work, and work every day and every hour, improving the finances and the administration of justice, and increasing the general tranquillity and prosperity of the country. The commissioner, too, in his enthusiasm for the welfare of the people was by acquiescing in this policy unjust to his most useful and hard-worked agents, the amildars.

A third defect was the non-restoration of the patel and the village community to their ancient authority. The British had assumed the government to free the ryot from the tyranny of the petty officials, and one of the ways of bringing about this result would have been the proper recognition of the patel's authority in the village. But while Cubbon did his best to reduce the tyranny complained of, he failed to prevent it. He had started with the idea of restoring the patels, but closed his administration without doing so. Apparently this was due to two principal difficulties. The one was the opposition of the amildars and shanbhogues, and the other the attitude of the higher authorities. He could have overcome the former; but, so long as the government lacked money, he could not endanger the co-operation of the amildars and shanbhogues who were practically the assessors and collectors of the land revenue. He could not in any case have succeeded in altering the attitude of the court of directors or the governor-general who required Cubbon to finance all his plans out of local receipts and would not look further ahead. The restoration of the patel would have

involved a check in the current of administration, a stir in the official life, and a temporary financial loss. It would also have meant a shift in the centre of gravity of the administration accompanied by a shock to the machinery. It would have appeared a great revolution and provoked needless criticism. So he concluded that the matter had better be postponed.[1]

The other defects alleged were minor in importance. They were: lack of uniformity, post-auditing, an unnecessary movement of specie, irregular hours of work, the absence of system in the tank-repairs, judicial delay, illiterate and anomalous police, a loose policy regarding the European coffee estate, and insufficient pay for the establishments.

In the days of Hyder and Tippu, Mysore had been a Deccani power; Cubbon made it a model Indian state. No frontier troubles, no conflict between the executive and the judiciary, no petty jealousies between the high officials, nor any opposition from the interested men stayed the even progress of the country. The machinery of government was as perfect as circumstances permitted. The laws of the country were such as the court of the directors approved of. Civil justice was almost wholly in the hands of the people themselves. Taxation followed sound economic principles, and promoted industry. Trade was facilitated by roads and railways and the general security which now prevailed. The relations between the inhabitants of the state and the company's territories were so cordial that they hardly realized the distinction underlying their legal positions. To the people of Mysore the commission appeared to be the same old Hindu state in character and conduct, while to all foreigners it seemed to be British. This happy blending of the western and eastern ideals and methods was the very object of the assumption. But it had not been realized by alluring the people of Mysore with abstract principles and glittering catchwords. The commission had been freed from

[1] See *supra*, p. 169.

class or communal bias and from personal partialities. It had raised the standards of all offices and the character of all officials. The one object underlying every reform was the transformation of a stagnant into a progressive government.

Throughout the period when the subsidiary treaty was in force the government of Mysore was carried on according to Wellesley's principles. It was, as said on the last page, a quasi-British government in a Hindu state. Purnayya was the first man to rule the state under the treaty, and was succeeded by the maharaja and Cubbon. But it is strange what different results the three men produced. Purnayya and the maharaja both provoked opposition against themselves, though for opposite reasons, while Cubbon secured the whole-hearted support of the people. The causes are not far to seek. Purnayya was a clever financier but an unsympathetic minister. Like some officials of old, he was too fond of power and too partial to one community, particularly his own mahratta circle. He was submissive to the British Residents but insubordinate to the maharaja. He measured his success by the balance in the treasury rather than by the quantity of general happiness. The maharaja, on the other hand, was a victim of worthless favourites. He lost all control over his government owing to their intrigues. His real sympathy for the people had no chance of showing itself, and so, in despair, they rose against his authority. The tyranny under Purnayya was Purnayya's own, while the tyranny under the maharaja was that of his servants. In any case, the net result to the people was the same. Cubbon, as a member of the insurrection committee, had learnt enough of both oppressive governments, and so learnt what above all had to be done. In his younger days he had come under the ennobling influence of his uncle Mark Wilks, Sir Thomas Munro, and Malcolm. He had personally known Purnayya. He had worked at Bangalore as a commissariat officer, and thus become familiar with Mysore, her ruler, and

her people. Largely self-taught, he had acquired a thoroughly practical outlook on life. From his early days in India he was as if preparing to shoulder responsibilities. There was nothing in him of the imperious character of Purnayya nor of unbusiness-like attitude of the maharaja. He was a statesman of the Munro type—and the last of his school in India—sensitive to his national honour and sympathetic towards the aspirations of the people in his charge. His was a government *for* the people, championing the poor against the rich and the cause of humanity against its enemies. He served the country which he controlled and was a father to its people.

The *Bangalore Herald* wrote of Cubbon thus: "With the exception of Sir T. Munro, we have never seen his equal as a statesman and ruler. He has solved the problem as to what kind of government best suits an Indian province, and what is most conducive to the people's interest in combination with revenual prosperity. He may be fitly designated the tutelar guardian of the country, and is looked up to and venerated as such. Were Mysore in rebellion to-morrow, his word would be sufficient to suppress it, and such has ever been the respect entertained for him and the influence of his salutary policy, that no army was required to overawe the millions subject to his rule."

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[1] These are abbreviated into *Ind. Pol. Cons.*, *Ind. Pol. and For. Cons.*, *Ind. For. and Pol. Cons.*, *Ind For. Cons.*, and *Ben. or Mad. Pol. or Sec. Cons.* respectively in the footnotes, the term "Consultations" being adhered to as a more technical expression.

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APPENDICES

(These are Compilations from Several Sources)

A. The system of judicature

B. Population census.

C. Reforms in customs duties.

D. A note on the currency and coinage in the period.

E. References to annual financial statements.

F. Sale of offices in the maharaja's administration.

G. Corruption in the taluks in the maharaja's administration.

H. Unpublished Documents, etc.

APPENDIX A

THE SYSTEM OF JUDICATURE IN MYSORE IN 1861

1. When the Governor General of India resolved that the Territories of the Rajah of Mysore should be governed until further orders by a sole Commissioner and four European Superintendents in the Districts, and system and establishments for the administration of justice which then existed being considered inadequate to the wants of the Country, an order for the establishment of Courts of Justice, with a Draft of Rules for their guidance, was issued on the 27th of October 1834:—

> The Governor General is exceedingly unwilling to introduce unnecessary alterations in the system which has hitherto prevailed and been found to answer in any department of Mysore administration. It is his wish that the European officers now to be appointed should with certain modifications of rule for their guidance supply the place of the present Fouzdars and he desires me to say that he cannot better explain his views on this subject than by citing the paras. written in the margin from the Wilks report on Mysore affairs dated December 5, 1804, and noticing in the body of this letter how far His Lordship considers it expedient to [?] the system of civil and criminal judicature then prevalent should now be modified. [Paras. 77–93.]
>
> The revenue and military systems will be subsequently noticed.
>
> The Governor General desires me to impress on you in the strongest manner and through you on the local superintendents his anxious desire that all the ancient usages and institutions of the country especially those of a religious nature should be respected and maintained inviolate. The Hindoo Law will as a matter of course be resorted to for the decision of all matters relative to caste or wherever its precepts may be otherwise applicable but as regards criminal jurisprudence (or at all events the penal provisions of law) its tenets cannot it is believed be adhered to by any civilized nation.
>
> These remarks have reference probably to petty disputes and other matters which can hardly be termed of a criminal nature though they do not strictly belong to the civil Department as not involving a claim to property nor appertaining to any other branch of civil litigation. His Lordship has always been of opinion that matters of this nature should be left to themselves. The Bengal Regulations especially those of a late date have as far as possible restricted the Police from interfering with the

ordinary concerns of the people. It being obvious that the power to do so is a fertile source of oppressions and extortion. At the same time the office of cauzie as he is an authority to whom the Muhammadan population resort for the adjustment of their minor differences should be carefully respected.

The same observations apply *mutatis mutandis* to what is stated in the preceding para. with reference to this branch of the subject as regards the Hindoo population.

The amil should still have charge of the police to this extent he should be positively prohibited from exercising any magisterial duty or from interfering at the instance of a complainant in the case of any offence not involving open violence. Even burglary when attended by this aggravating circumstance if not made subject of complaint by the party in whose it may have been committed should not be enquired into at the same time. The village watchmen should be enjoined to report all offences and occasions of an extraordinary nature to the amil by whom they should be reported to the superintendent. As regards the Department of Police His Lordship is not aware that a better code of rules could be devised for the conduct of the amils and their subordinates than those contained in Regulation XX 1817 of the Bengal code with the subsequent modifications and he will request the Vice President in Council to furnish you with a set of regulations especially with this view but generally as a guide for your own conduct and that of the superintendents where analogy is applicable.

The place of these soobadars (who are now more usually designated Fouzdars and whose number has been increased to six) will be supplied by the European superintendent whom it is the intention of His Lordship to appoint as above stated.

The same course of proceeding may be adhered to and except that in all cases involving an accusation of murder gang-robbery or burglary with violence if the amil has reason to believe the charge to be true he shall forward the parties to the superintendent with a record of his preliminary investigation in no case detaining the parties accused for a longer period than seven days. In such cases the superintendent will summon a Punchayat and preside at the trial or refer the case to the Principal Sudder Moonsiff (an officer whose appointment will be hereafter described) for that purpose.

This system should be adhered to, but for the word "Dewan" should be substituted the *superintendent* or *commissioner as the case may be and for the words "soobadar" or "amil"* should be substituted the *superintendent or* Principal Sudder Moonsiff as *the case may have been tried by one or other of those authorities.*

The superintendent may make his decision both on the cases referred by the amil and those at the trial of which the chief

sudder moonsiff may have presided. The superintendent should have the power of sentencing to imprisonment with or without labour for some years without reference to the commissioner and the Principal Sudder Moonsiff in like manner should have the power of sentencing to two years' imprisonment without reference to the superintendent.

In these cases the proceedings should be invariably referred for the decision of the commissioner.

This wholesome restriction should be preserved though where the example is deemed necessary gang robbery may be punished with death.

These are salutary rules. Corporal punishment on no account to be inflicted.

With reference to the subordinate instruments of police termed Hoblydars who are not noticed in the summary of Major Wilks His Lordship is of opinion that the following rules should be established. Hoblydars should be authorized to place and keep in confinement for 24 hours persons accused or suspected of the heinous offences of murder, highway robbery, or burglary with violence if necessary for the purpose of making such enquiry into their cases as may enable them to judge where it is proper to release them or to bring their cases to the amil. Hoblydars of course should be held responsible for any abuse on their part of the authority thus vested in them. In all minor cases they should refer the complainant to the amil. In criminal cases of which the Hoblydar has cognizance where a longer detention than 24 hours is necessary in order to obtain evidence he will without delay either send the prisoner together with the witnesses and a statement of the information he has obtained in the case to the amil or retaining the prisoner send only the statement to the amil with a view to his repairing to the spot to make further enquiry himself and the Hoblydar should be guided by any orders which he may thereupon receive from the amil.

With reference to civil justice Major Wilks observes that it is conducted in a manner analogous to the criminal. Col. Briggs established a system of civil judicature which the Governor General considers faulty. The basis of it was that he conferred judicial powers on the Potails of the villages. This His Lordship thinks was calculated to be mischievous though he is informed that it has been really inoperative. It was certainly open to abuse as the Potails were almost always the renters of their villages. When the revenue system shall have been placed on an improved footing, the case will be different.

For the rules contained in paras. 91 to 96 inclusive the Governor General would substitute the following which are rather intended to define than to change in any material degree the spirit of the processes as described by Major Wilks.

Every amil should have power to try and decide without making any record of the evidence and without employing a Punchayet suits not exceeding Rs. 20 in amount or value and his decisions in such cases should not be subject to appeal except on the ground of corruption or gross partiality.

He should also have power to try and decide without employing a Punchayet suits for personal property exceeding Rs. 20 but not exceeding Rs. 100, but in these cases it should be incumbent on him to keep a record of his proceedings including the evidence and the decision and in all such an appeal should be to the court of the Principal Sudder Moonsiff provided it be preferred within 30 days from the date of the delivery of a written copy of the amil's decision to the party appealing. It should be the amil's duty to cause written copies of his decisions authenticated by his seal and signature to be delivered both to the plaintiff and defendant and the date of delivery should be written on the document by the officer delivering it.

The amil should also have authority to determine by the Punchayets held agreeably to the custom of the country suits respecting personal property not exceeding Rs. 500 in value or amount and the decisions in such cases should not be subject to appeal except on the grounds of corruption or gross partiality. In those cases also copies of the decisions authenticated by a seal and signature of the amil should be delivered to the Plaintiff and the Defendant.

The jurisdiction of the amil should be limited to cases in which either the cause of action shall have originated with his Talook or the Defendant shall have usual residence in it.

Court of the Principal Sudder Moonsiff

To every superintendent's jurisdiction one or two Principal Sudder Moonsiffs should be appointed by the Commissioner. He should have power to try and decide all appeals from the decisions of the amil and his decision in all such cases should be final.

The Principal Sudder Moonsiff should also have power to try and decide suits for personal property exceeding in amount or value Rs. 100 and not exceeding Rs. 500 and suits for landed property from the smallest value to the value of Rs. 1,000. In these cases an appeal should be from his decision to the commissioner and he should keep a full record of his proceedings and cause written copies of his decisions authenticated by his seal and signature to be delivered to the Plaintiff and Defendant and in all cases appeals should be admitted only if they be preferred within 30 days from the date of the delivery of the copy of the decision to the party appealing.

Provided however that all disputes relative to the right to the possession of Sirkar land relative to the revenue of the state

should be cognizable only by the superintendents or his subordinate revenue authorities and not by the Principal Sudder Moonsiffs or other judicial tribunal and that such cases shall be disposed of according to such form as the commissioner may prescribe.

The jurisdiction of the Principal Sudder Moonsiff should besides be extended to all cases referred to him by the superintendent.

The superintendent should have immediate judicial authority in regard to all original suits involving personal property in value exceeding Rs. 5000 or landed property in value exceeding Rs. 1000 and he should exercise under such circumstances as may from time to time be issued from the commissionery a general superintendence over the conduct of the Principal Sudder Moonsiff and the subordinate judicial functionaries. The commissioner should be bound to receive and try appeals from the decisions of the superintendents' courts in all cases in which the amount or value exceeds Rs. 5,000 or Rs. 1,000 in cases of landed property provided this appeal be preferred within 30 days from the date of the delivery of an official copy of the decision to the parties appealing or the agent of such party; and it is to be clearly understood that in all cases as well as those in which no regular appeal has been produced for as those in which such appeal lies there is reserved to the commissioner the power of interfering and passing whatever orders he may deem just and proper.

In like manner the superintendent should have the power of receiving any appeals from whatever value from the decisions of the inferior tribunals where the grounds of appeal may be the corruption or partiality of such tribunals.

In cases in which appeals may be preferred from the court of the principal sudder moonsiff to that of the superintendent or from the court of the superintendent to the commissioner on the ground of alleged corruption or gross partiality the court receiving the appeal should in the first instance confine itself to an examination of the evidence for and against the charge of corruption or partiality and should not proceed to enquire into the merits of the original case unless that charge shall first be established.

In all cases of appeal the court to which the appeal is preferred should procure a complete and authentic copy of the proceedings held in the court whose decision is appealed from. The rules laid down by Lieut. Col. Briggs requiring judicial proceedings to be written on stamp paper should be rescinded.

In all original suits for more than Rs. 10 and also in all appeals a fee should be levied on account of the state on the institution of the suit.

If the amount or value of the property sued for do not exceed 800 Madras Rs. the fee should be at the rate of one anna per rupee.

If above Rs. 800 and not exceeding Rs. 1,200 the fee should be Rs. 50.
If above Rs. 1,200 and not exceeding Rs. 1,600 the fee should be Rs. 75.
If above Rs. 1,600 and not exceeding Rs. 2,000 the fee should be Rs. 100.
If above Rs. 2,000 and not exceeding Rs. 3,000 the fee should be Rs. 120.
If above Rs. 3,000 and not exceeding Rs. 5,000 the fee should be Rs. 150.
If above Rs. 5,000 and not exceeding Rs. 10,000 the fee should be Rs. 250.
If above Rs. 10,000 and not exceeding Rs. 15,000 the fee should be Rs. 350.
If above Rs. 15,000 and not exceeding Rs 25,000 the fee should be Rs. 500.
If above Rs. 25,000 and not exceeding Rs. 50,000 the fee should be Rs. 750.
If above Rs. 50,000 and not exceeding Rs. 100,000 the fee should be Rs. 1,000.
If above Rs. 10,000 the fee should be Rs. 2,000.

The charge of the institution fee should be ultimately borne by the party against whom the suit is decided when the decision either awards or disallows the whole amount or value sued for. In all other cases it should be at the discretion of the court or officer trying the cause to decide the charge of the institution fee between the plaintiff and the defendant in such proportions as may be deemed equitable.

In case in which it may be proved to the satisfaction of the court or officer before whom any suit is instituted that the plaintiff is from poverty unable to pay the fee required on the institution of the suit the court or officer should be empowered to permit the suit to be commenced without payment of the fee and to enforce the payment of it after the suit has been decided, from the party who ought to bear the charge of it. The several courts should be authorized in cases in which they may deem it proper to order the party losing the suit to pay the costs which the suit may have occasioned to the other party provided that the sum allowed on this account shall in no case exceed the amount of the established fee on the suit. This rule of course should not be held to prevent an award of compensation by way of damages or otherwise.[1]

[1] The idea of the institution fee was rejected totally by the Court of Directors.

The commissioner in the judicial duties civil and criminal which will thus devolve on him should have an establishment to be styled the Huzur Adalat of the following description—one first judge one second ditto one third ditto one Pundit and one muftee with suitable establishments and salaries. To these persons may be delegated the power of receiving and deciding all appeals from the native tribunals or they may be employed as assessors to the commissioner when he may desire to preside in the Huzur Adalat or to report upon any case original or appealed civil or criminal in the manner that may be prescribed by the commissioner or the commissioner should be held competent to try any case when he may think fit by means of a Punchayet with or without their assistance or to require them to summon a Panchayet in aid of their own proceedings.

The above you will observe is merely an outline of what the Governor General proposes should be the system of civil and criminal judicature in Mysore. You will of course suggest such alterations and amendments as you may from time to time deem proper.

In large towns or other places where the general system above described may not sufficiently provide for the administration of justice civil and criminal you are at liberty to appoint Principal Moonsiffs with the same salaries and duties as those annexed to the offices of Principal Sudder Moonsiffs at the station of the superintendent.

If more than 2 moonsiffs are required at the sudder station those of the inferior grade should simply be designated sudder moonsiffs. The salary of the Principal Sudder Moonsiffs should be Rs. 500 exclusive of a suitable office allowance. That of the first Sudder Moonsiff Rs. 400 and that of the 2nd and the 3rd Rs. 300, but the powers and duties of all should be the same.

It will be of course in the first degree desirable that persons of respectability should be selected to fill these and other offices of importance throughout the country and it is the wish of His Lordship that your patronage should be fairly proportioned between the candidates of Hindoo and Mahomedan persuasions.

There is reason to apprehend that the pay of the amils and of the other subordinate officers is not such as to ensure the requisite qualifications and His Lordship is desirous that you should propose for his consideration a scale of salary which shall enable you to command the services of men of the highest character and efficiency for the offices of amil as well as of competent and upright officers for the other departments. The inadequate remuneration of the native officers is a radical defect in our own territories which His Lordship is particularly anxious to avoid in the present plan for administration of Mysore.

As the Fouzdars who will be displaced by the new arrange-

ments must of course be provided for it will naturally occur to you where the individuals are fit to offer them the office of the Principal Sudder Moonsiff.

With reference to the form of proceeding in civil cases which Maj. Wilks represents as differing materially from the practice of English Courts His Lordship is of opinion that the process as described in the annexed paras. (98 to 102) has so much to recommend it on the score of simplicity that no interference on the part of European authorities is requisite with a view to its improvement for the guidance of your own court and those of the superintendents. You will of course prescribe whatever rules you may deem advisable adopting those of the Bengal Code should they seem to you to be applicable.

2. These Rules may be said to form the basis of the present system, and together with several subsequent modifications, which, from time to time, have been deemed necessary, form the system of judicial administration described below.

COURTS

3. The Courts for the administration of civil and criminal justice as they stood in 1861 may be classed under seven heads or grades.

(i) The taluk or amil's Courts.
(ii) The Mysore and Bangalore town Munsiff's Courts.
(iii) The district Munsiff's Courts.
(iv) The principal Sadar Munsiff's Courts.
(v) The European Superintendents' Courts.
(vi) The Huzur Adalat, attached to the Commissioners' Office.
(vii) The European judicial Commissioner's Court.

Their distribution was then as follows:—

Divisions	Superintendent	Principal Sudder Moonsiffs	District Moonsiffs	Town Moonsiffs	Sur Ameens	Amildars	Total
Astagram	1	1	2	1	1	26	32
Bangalore	1	2	0	1	0	22	26
Chittledroog	1	1	1	0	0	18	21
Nuggur	1	1	1	0	0	16	19
Total	4	5	4	2	1	82	98
Hoozoor Adawlut	0	0	0	0	0	0	1
Judicial Commissioner	0	0	0	0	0	0	1
Grand Total	0	0	0	0	0	0	100

CIVIL JUSTICE

COURTS OF ORIGINAL JURISDICTION

4. Of these there are two classes—1st, The Amils' Courts: 2nd The Town Moonsiffs'.

THE POWER VESTED IN THE AMIL COURT

5. The Amils have power to decide without record all claims not exceeding Rs. 20, with a record of proceedings suit not in excess of Rs. 100; and, when assisted by a Punchayat, all suits not exceeding Rs. 500. An appeal may be filed in the Suddur Moonsiffs' Courts in the second and third description, but not in the first, unless when corruption or gross partiality is alleged, or when the claim involves landed property, under which circumstances the higher courts, and eventually the Commissioner, may be appealed to.

THE MYSORE TOWN MOONSIFF

6. The Mysore Town Moonsiff has nearly identical power with that of an Amil in all suits regarding real or personal property, which are connected with, or may have originated within the limits, of the Town of Mysore.

THE BANGALORE TOWN MOONSIFF

7. The Bangalore Town Moonsiff, in addition to the powers of an Amildar, has authority to decide, with a record of proceedings, all suits for real property not exceeding Rs. 1,000, and an appeal from his decisions lies direct to the Superintendent of the Division, whereas in the case of the two former the appeal lies only to the Suddur Moonsiff.

8. A written decision has to be given in all cases, whether a record of proceedings has been kept, or not.

COURTS OF ORIGINAL JURISDICTION AND OF APPEAL

9. Of these there may be said to be two classes—1st, The Principal Suddur Moonsiffs' and District Courts, and 2nd, The Courts of the European Superintendents.

THE PRINCIPAL SUDDUR MOONSIFF

10. The Principal Suddur Moonsiffs, of whom there are two in each Division, decide all suits in appeal from the Amils, their decision in all such appeals being final, unless in cases of landed property, or under circumstances of corruption or gross partiality; they also decide all original suits for real property above Rs. 100 and not exceeding Rs. 1,000, and for personal property above Rs. 100 and not exceeding Rs. 5,000.

11. All appeals from their decisions lie to the Superintendents of Divisions, or to the Huzoor Adawlut, at the option of the suitor.

12. The Moonsiffs keep a record of all proceedings, and seal, sign, and deliver to both the plaintiff and defendant in a suit copies of the decree issued in the case.

13. The Suddur Moonsiffs have, moreover, authority to try all cases which may be referred to them by the Superintendents of their respective Divisions.

THE COURTS OF THE EUROPEAN SUPERINTENDENTS

14. The Superintendents have authority to investigate all appeals whatsoever from the Lower Courts of their Divisions as also all original suits involving real property, in value about Rs. 1,000, or personal property above Rs. 5,000.

15. Under the Commissioner's special instructions, the Superintendents exercise control over the Moonsiffs, and all subordinate Judicial Authorities, within the limits of their Divisions.

COURTS OF APPEAL

16. Of these there are two—1st, The Huzoor Adawlut; 2nd, the Judicial Commissioner's Court.

THE HUZOOR ADAWLUT

17. This Court has power to take cognizance of, and to pass a decision upon all appeals from the subordinate Native Courts.

18. This Court is not assisted by a Punchayet unless specially ordered by the Judicial Commissioner to convene one, but the Judges may be assembled by the Judicial Commissioner and employed by him as his assessors, whenever he may deem such a course advisable.

19. This Court is not one of original jurisdiction, excepting when suits are specially referred to it for investigation by the Judicial Commissioner.

THE JUDICIAL COMMISSIONER'S COURT

20. The Judicial Commissioner receives appeals from the decisions of the Superintendents and of the Huzoor Adawlut, either in appeal direct, or by simple petition, through the Furiyad Department of his Office.

21. No original suits are filed in the Judicial Commissioner's Court; it is however optional with him to take notice, in any way he may deem fit, of any representation whatever which may be laid before him.

CIRCAR LANDS OR DUES

The subordinate Revenue Officers, the Superintendents of Divisions, and finally the Judicial Commissioner, decide all disputes or suits connected with Circar or Meerasy lands or other Revenue matters.

THE EXTENT OF JURISDICTION GRANTED TO THE LOWER COURTS

22. The Amils, Principal Moonsiffs, and Superintendents are authorized to take cognizance of all suits regarding landed property, when the land lies within the limits of their prescribed Talooks, Districts, and Divisions, and of all other transactions whatsoever when the defendant permanently resides, or the cause of action originally arose, within the said limits. No suits regarding personal property are admitted, when it is proved that no effort for its recovery has been made for a period of sixteen years.

THE SYSTEM OF ADMITTING SUITS

23. On a plaintiff presenting himself at one of the Courts of original jurisdiction for the purpose of filing a suit, before a writ summoning the defendant is issued, he (plaintiff) undergoes a *viva voce* examination in open Court. If the Judge, after hearing his statements, and inspecting his documents, is of opinion that the claim is tenable, the suit is at once filed and numbered; but, on the contrary should the claim appear to the Judge to be vexatious or unfounded, he refuses to grant a writ, until the plaintiff has deposited a sum sufficient to cover the probable amount of the costs of the suit (including the fee), or until he gives good and substantial security for the same.

24. The plaintiff is permitted the option of undergoing the examination or of making the deposit.

25. Should the Judge refuse to file the suit, he must endorse his reasons for so doing, on the back of the rejected plaint.

THE COURSE OF THE SUIT, PLEADING, EVIDENCE, ETC.

26. The suitor with his plaint is obliged to state the number of his witnesses and the nature of his documentary evidence, and the defendant on being summoned is obliged to do the same in his *Answer*. The *Reply* and *Rejoinder* are then filed, when the Judge further questions both parties, and then proceeds to receive and record the evidence on both sides. The Judge is authorized to call for all such witnesses and documents in the course of the enquiry, as he may deem necessary to a right understanding of the matter at issue, but should additional evidence be called for by either plaintiff or defendant during the progress of the suit, the Judge does not comply with the requisition, until he has ascertained by a *viva voce* examination that their attendance is absolutely necessary. Should the enquiry be intricate or connected with landed property, the Amil, Moonsiff or Superintendent, may at his option convene a Punchayet, which has under such circumstances the power to adopt the same measures as the convening authority, with a view to arriving at an equitable decision. Upon the completion of the

Punchayet's Mahazur, the Judge draws up a decree, in which he recapitulates concisely the original statements, the evidence on both sides, documentary and oral, the opinion of the Punchayet (if one was convened), his reasons for adopting or differing from the same, and lastly, his own opinion or decision, with the arguments upon which it is based. The opinion of the Mufftee of Pundit of the Court is also mentioned, should the Judge have considered it advisable to call for it in the course of the enquiry.

SYSTEM OF APPEALS

27. Should the losing party in a suit be disposed to file an appeal in the next Superior Court, the under-mentioned conditions must be complied with. He must, within thirty days from the date on which he has had the decree of the Lower Court handed to him, forward to the Judge of that Court, an Appeal Urzee for transmission to the Higher Court, and he must procure an endorsement on it by the Judge to the effect that all costs, fees, and fines levied in his Court have been duly paid, and that substantial and reliable security for the amount decreed has also been lodged in his Court.

28. Non-compliance with any of these conditions is held as a valid reason for refusing to forward an appeal, or for its rejection in the Appeal Court, should the Appeal Urzee be forwarded to the Superior Court direct.

29. Special instructions from the Commissioner alone warrant any deviation from this rule.

30. Should the grounds of appeal be corruption or gross partiality, proof of the truth of the charges must be adduced previous to any re-investigation of the case.

31. The Appellant having complied with the established stipulations, and his appeal having been filed in the Superior Court, the proceedings of the original Court are sent for, on receipt of which the respondent is called upon for an answer (no reply or rejoinder are requisite in the Appeal Court), and on receipt of this document, the proceedings of the Original Court are carefully re-examined, and should it be deemed necessary for the further elucidation of the matter, to call for additional documentary or oral evidence, the Appeal Court's power in this respect is unlimited. All available evidence having in this manner been obtained, an Appeal Decree is drawn up, confirming or reversing the decision of the Lower Court, as the case may be.

32. Unless under circumstances of corruption, gross partiality, or extreme peculiarity, an appeal decision in cases of personal property is final. In cases involving landed property however, notwithstanding a concurrent opinion on the part of two Courts, a special or extra-special appeal, the former of the Superintendent or the Adawlut and the latter to the Commissioner, are admissible.

THE COURSE PURSUED IN SUMMONING WITNESSES; SUMMON PEONS, BATTA, ETC., COSTS

33. In all the subordinate Native Courts there are summon peons, who are employed in summoning defendants and witnesses, and who receive two annas batta per diem during the time they are engaged on this duty.

34. Witnesses receive, according to their rank and circumstances, an allowance varying from one anna to one rupee daily, besides travelling batta at the same rate when the distance exceeds ten miles.

35. Should the person to be summoned reside beyond the limits of the jurisdiction of the Amil, Moonsiffs, or Superintendent, an application, accompanied by a summons, is forwarded from each of any of these authorities, respectively, to his co-ordinate authority, within whose jurisdiction the person resides, requesting him to serve the summons and direct the attendance of the individual in question.

36. Should the required individual belong to the household of the Rajah, the application for his attendance is forwarded through the Commissioner; and should he be a person of rank, and Government Servant, he is summoned by the Superintendent on his own account, or through him on that of the Amil, or Moonsiff, but not by the two latter authorities themselves.

37. When witnesses reside at a distance, to save them trouble and expense lists of interrogatories are occasionally forwarded from one Court to another, and to Zillah Courts in the Company's Country, under Regulation VII of 1841. Should the list be handed in by either plaintiff or defendant, it must meet the approval of the Judge prior to being forwarded, and he is at liberty to add any further questions he may consider it advisable to ask; the list furnished by the one party being shown to the other in order that he may insert such cross questions as appear reasonable and proper. The answers are invariably given and recorded in open Court.

38. The money for the adjustment of expenditure on the above different accounts is deposited in the first instance by the party requiring the outlay; the whole sum paid for such purposes, by the gaining party, being subsequently charged to whoever loses the suit; the amount expended in this way being specified in the decree under the head of "Costs."

39. In pauper suits the amount of costs is adjusted by Government.

PUNCHAYETS

40. A list as large a number as possible of the most respectable and intelligent inhabitants competent to perform the duties of Punchayetdars is kept in the Court of every Superintendent, Moonsiff, and Amil.

41. When the preliminary papers have been filed in a suit, from the recorded list of Punchayetdars, five persons next in rotation are (if a Punchayet is necessary) nominated by the Court. No omission or passing over is permitted, unless in cases where the next on the list is sick, or engaged on another trial.

42. The plaintiff or defendant may challenge three out of the five persons named. The merits of this challenge are summarily decided upon by the Head of the Court, and his decision is final.

43. No Punchayetdar can be changed after the commencement of the investigation, unless in a case of urgent necessity or sickness. Under such circumstances four members being given to the absent member when he returns. Should only three members remain to prosecute the enquiry, if it is nearly ended, and all three are unanimous in opinion, it is optional with the Head of the Court to direct them to conclude the matter or to take two new members.

44. Every Punchayet sits in open Court and free access to hear the proceedings is permitted.

45. No person of bad character, or who is only a Court hanger-on, i.e. not a permanent resident in the neighbourhood, is permitted to sit on any Punchayet whatever.

46. Punchayetdars are permitted to retire to a separate room to consult upon and draw up their Mahazur. Undue influence to induce them to decide against their judgment is most strictly prohibited, although the Head of the Court, on receipt of the Mahazur, is authorized to point out any discrepancy which he may perceive in it, and is at liberty also to suggest if requisite, that the Punchayetdars should more fully explain the reasons for their decision, or reconsider their opinion. It is optional with the Punchayetdars to adopt or reject these suggestions, and in the latter case it is necessary that the Head of the Court should in his decree mention his reasons for differing from the Punchayet in opinion.

47. Should the plaintiff or defendant be a foreigner, he is permitted to place a list of his own country-people before the Court, out of which the Judge chooses by lot two additional persons to sit on the enquiry. In such cases the Punchayet is composed of seven members.

48. Unless in cases of glaring injustice, gross partiality, or corruption, it is not deemed advisable to set aside the opinion of the majority of a Punchayet, nor in any instance is the opinion of the minority to form the basis of a decree. A new trial may be ordered, but only under extraordinary circumstances.

VAKEELS

49. Professional Vakeels are not recognized by the Courts and are otherwise discouraged. In cases of necessity a plaintiff or defendant is at liberty to appoint some other person to conduct his suit; but such individual should if possible be a relative or friend, as the

employment of persons who gain a livelihood solely by instituting and carrying on suits for others in the Courts, is discouraged, their services being deemed both prejudicial and superfluous under a system of simple procedure.

50. Should the Head of a Court be aware of any valid objections to the employment of an individual deputed to conduct a suit, he is at liberty to prevent him from pleading, and should any person employed as a Vakeel behave in a tricky or dishonest manner, he is prohibited from ever again practising in the Courts of this Territory.

51. Foreigners are, as a matter of necessity, permitted to employ strangers as Vakeels.

DECLARATION ON OATH AND SUBSTITUTION OF THE SOLEMN AFFIRMATION

52. The declaration on oath was abolished on the 25th of March 1840, and a Circular Order was issued by the Commissioner, substituting in lieu of it the solemn affirmation authorized by the Government of India in Act No. V of 1840.

FEES AND FINES

53. In the matter of fees and fines several alterations have taken place since the first establishment of the Commission, and there is scarcely any subject connected with the Civil procedure of the Country which has given rise to the same amount of discussion. A passing mention, therefore, of the three different systems with regard to fees and fines which have been tried within this Territory since its assumption may lead to fair inferences with regard to the working of each. Until 1834 the institution fee was enforced in all suits, and as a natural result, they were not very numerous, for only those who were well able to pay, or who by the goodness of their cause were able to raise the money, applied to the Courts; it was found, however, that it prevented false litigation, or the influx of professional Vakeels, but in consequence of the authorities having come to look upon it as a tax upon justice, it was finally abolished in 1834.

54. For some time, apparently, the abolition of the institution fee did not cause any very great difference in the number of suits; but, as soon as its discontinuance became generally known, the Courts of Justice became crowded with needy impostors, who, by inciting the people to litigate, and by the institution of false, vexatious and exaggerated suits, carried on the most systematic extortion, and so swelled the files of the Courts, that no increase of either the Judicial Establishments, or of activity on the part of the Judges, could keep pace with the demand, or clear the files, which in December 1837 showed a balance of 8,000 suits still pending; and, as it appeared, that out of those decided at that time in the Courts 45 per cent. of the claimants were non-suited, it became necessary to provide some

check to this system and vexatious and unfounded litigation, and also to relieve, if possible, this great and useless pressure upon the valuable time of the Judges. The consequence was that in 1839 a Circular was issued, ordering the realization of a fee, equal in amount to the former institution fee, in all suits which were ascertained to be vexatious or unfounded. But this arrangement not being found sufficient, on the 17th of March 1841, another set of Rules were issued, which may be said to form the present system with but very slight modifications, and which system, as the non-suits form now only a small percentage, is looked upon as working well.

55. In all suits a fee, leviable at its termination, has become an incidental expense to the bringing of an action.

56. This fee amounts to one anna in the Rupee on sums not exceeding Rs. 800, and, on sums above that amount, in a certain fixed proportion.

57. This fee is leviable on all sums claimed in excess of the amount justly due, and, as a general rule, in all cases of non-suit, or where the defendant is cast in the full amount.

58. In cases where the parties have applied to the Courts more with the view of ascertaining their respective rights than from a desire to litigate, the fee is remitted by the Judge.

59. An Appeal Court has power, on seeing good grounds for the same, to remit the fees imposed in the Lower Courts.

60. A fine in addition, equal to the fee in amount, is leviable in all suits which are found to be false, vexatious or unfounded.

61. The fee is leviable by process of execution immediately upon the judgment being passed. Should the property of the party liable not be sufficient to realize the amount, it is held as a debt due by him to the Government, and he is not permitted to file another suit in any Court until the amount is adjusted; but in the case of a fine, imprisonment not exceeding six months, is given in cases of default of payment.

DELIVERY OF DECREES

62. At the close of a suit, should the defendant fail to attend for the purpose of receiving the decree, a notice for his attendance within ten days is forwarded to the Amildar, and if he is not to be found, the notice is affixed to the outside of his door.

63. After a month has elapsed from the date of the notice, should the defendant not appear, the decree is carried into effect in the usual manner.

64. All decrees against individuals who live within the jurisdictions of the Suddur Moonsiffs are carried into effect by the Amildars under their orders; the Amildars being invariably Executive Officers, excepting in the towns of Bangalore and Mysore, where the Town Moonsiffs have executive powers.

65. Suddur Moonsiffs when the defendant's property is beyond the limits of their jurisdiction, forward the application for execution of the decree through the Superintendent.

66. No decree is carried into effect, unless a special application to that effect is made by the plaintiff.

67. When it becomes necessary to distrain the property of any individuals, the Amil on being applied to, forwards a statement of the defendant's property. This statement must be duly attested by two respectable merchants of the place. The Amil is held responsible for its accuracy, and it must contain mention of any Circar balances due by the individual; and then, should the amount not be paid, within a certain time specified, the property, on a requisition from the Court, is sold by public auction. The Government claim having first been made good, the balance is appropriated to the adjustment of the decree.

68. The only articles of property exempt from distraint are the tools or implements of the individual's trade or calling, his wearing apparel, his drinking lotah, and, if a ryot, grain for his subsistence until the next season.

69. Concealment of property renders an individual liable to short imprisonment and the property to seizure.

70. Should it be proved in the course of an enquiry, that the defendant is disposing of, or making away with, his property clandestinely, or that he is about to remove himself beyond the jurisdiction of the Court, the Judge can oblige him to give security for the amount claimed, or if he refuses, place him in close custody until it is given. This course of proceeding however is adopted only on most reliable proof.

71. Should the defendant reside within the limits of the Company's Territory, the decree is carried into execution under the provisions of Act XXXIII of 1852.

APUS PUNCHAYET OR PRIVATE ARBITRATION

72. All parties mutually consenting to adjust any differences (unconnected with Enamtee or Meerasee privileges) are permitted, as in ancient times, to do so through the arbitration of an Apus Punchayet of not less than five members: each party nominates two members—these four then jointly appoint their own President.

73. A Moochilka binding themselves to abide by the decision of the Punchayet is registered by the parties in the Amildar's Cutcherry.

74. The Punchayetdars are authorized to summon witnesses, etc., and their Magazur, on an application through the Amil to the Superintendent is looked upon by the latter in the light of a legal decree and is acted upon accordingly.

75. An Apus Punchayet is not empowered to levy fines, fees or any penalty.

RAZEENAMAHS

76. Razeenamahs, or bonds of mutual compact or agreement between parties, are, when properly attested, held to be binding and valid documents in all the Courts of the Territory, and it is only under circumstances of fraud or collusion that they are ever rejected.

EX-PARTE DECREES

77. Should a defendant fail to appear within the prescribed time, and, after due notice has been given him, should be unable to assign satisfactory reasons for his absence, an *ex-parte* decree is passed by the Court.

78. *Ex-parte* decrees are admitted by an Appellate Court within the prescribed period, on the appellant proving to the satisfaction of that Court, that his default or absence from the Lower Court was unavoidable and not wilful; and should such proof be accepted, the proceedings are returned to the Lower Court for re-investigation: should it be rejected, a fine is levied not exceeding double the amount of the fee imposed on the Lower Court.

ORIGINAL DOCUMENTS

79. Original documents are not as a rule restored to parties filing them in the Courts. When necessary to them as references, authenticated copies are given, and on the final adjustment of a claim, his original documents are, occasionally, by special sanction of the Commissioner, restored to the party gaining the suit.[1]

INTEREST

80. With the exception of orders limiting the rate of interest which a decree could award to 12 per cent. in money dealings, and to 24 per cent. in grain transactions, and also directing that a total of interest greater in amount than the original loan, should not under any circumstances be awarded, interest is a matter, which had to a great extent been left to self-adjustment in the Mysore Territory, until lately, when the circumstances induced the Commissioner to order, that in all future transactions, in which the rate of interest is not distinctly laid down, the Courts are not to award a higher rate than 6 per cent.; but that, where the rate of interest is expressly noted in the bond, the Judge is to draw up his award in conformity with the agreement.

LANGUAGE OF THE COURTS

81. The language of all judicial proceedings and decision in this Country is Canarese, but, should the vernacular language of any Officer who is Head of a Court be other than Canarese, he is bound to write his decision or any particular points regarding which he

[1] Title-deeds are restored and copies only kept.

has to call for proof, in his own language, and these papers having been translated into Canarese, a copy of both the original and the translation are placed on record.

82. Should any Head of a Court, however, be sufficiently conversant with Canarese to use it instead of his own language, he is at liberty to do so.

THE ESTATES OF MINORS, INSOLVENTS, AND INTESTATES, HOW DISPOSED OF

83. In the case of a minor, the amount to which he is heir is placed in deposit in the Treasury, the greater portion being as a general rule invested in Company's Paper, until such time as he shall attain his majority, which is fixed at 18 years of age in Mysore; and during the *interim* he is placed under a respectable relation or some trustworthy person, and a suitable allowance is made out of his property for his education and subsistence.

84. Should there be a large amount due to the minor's estate, a Curator is appointed, whose only duty it is to recover the several sums due and remit them to the Treasury. He receives on all sums realized a commission of 5 per cent.

85. In the case of insolvents who have a large amount of debts to pay, and receive, the usual course is to assemble a Punchayet in the Commissioner's Court, which under his special instructions, investigates the affairs of the estate and submits a statement and opinion on the matter.

86. In some instances the Adawlut settles such matters under instructions from the Commissioner.

87. In the case of intestates also a Punchayet is sometimes convened should there be no heir, and money have to be paid and received, a Curator is appointed; should there be no heir, and no creditors, the amount of which the intestate died actually possessed is transferred to the Sivayee Jummah; and should there be an heir, as soon as he has proved his right to the satisfaction of the Commissioner, the property is transferred to him; if he is a minor the usual course is pursued.

THE BARR AND SOWAR

88. No individual of the Barr and Sowar Departments, which are under the control of the Military Assistant, can be summoned to attend a Civil Court, unless through that Officer, nor can any decree against them be executed without a previous intimation to him.

POLICE SUPERINTENDENT

89. The Police Superintendent has power to adjudicate in all suits originating within the limits of the Cantonment of Bangalore, which do not exceed Pagodas 500 or Rs. 1,750.

90. His decisions are summary, and he is not obliged to keep a record of proceedings, unless in cases of landed or house property.

91. He may assemble a Punchayet in any case in which he may deem it advisable.

92. An appeal from his decision lies direct to the Commissioner in cases of landed property, but he is not required to transmit appeals in suits regarding personal property. The Commissioner can, however, take cognizance of any case whatever in which he may deem it just and right to interfere.

THE RAJAH

93. Suits against His Highness the Rajah are filed in the Adawlut Court under the immediate sanction of the Commissioner.

STAMP PAPER RULES

94. It is required that in all transactions, the Bonds, Bills of Sale, Agreements, Transfers, Deed and other documents, should be executed on Stamped Paper of a fixed value.

95. Any unstamped document presented in a suit is received and filed, but only on payment of a sum equal to ten times the amount of stamp duty originally leviable upon it.

VAKEEL FEES

96. No suits for the recovery of Vakeel Fees are permitted to be filed in the Mysore Courts.

96A. The period of limitation now in force is 16 years.

CRIMINAL JUSTICE

97. The Courts for the administration of Civil and Criminal Justice are identical; a recapitulation of their number and description as previously set forth is consequently unnecessary.

THE AMILDAR

98. The Amildar is head of the Police in his Talook, and to assist him in Revenue and Magisterial business, he has under his orders a Paishcar, a Killadar, Shaikdars, Hoblydar, Duffadars, and Candachar Peons; of these the Killadar and Hoblydar only are exclusively Police Officers.

99. In cases of personal wrong, or for petty offences, the Amildar has power to confine an individual in the stocks or in irons, for not more than twelve hours, or to confine a person, not in the stocks or in irons, for not more than fourteen days.

100. Unless in cases of open violence, however, the Amildar is not authorized to interfere, except at the instance of a complainant.

101. The Amildar cannot keep any person in confinement pending investigation for a longer period than seven days, without a reference to the Superintendent.

SHAIKDARS AND HOBLYDARS

102. The Shaikdars and Hoblydars have authority to confine, for not more than twenty-four hours, any persons suspected of heinous crimes, such as murder, burglary, gang, torch, or highway robberies: within that time they must make such enquiries as will enable them to release the parties or report to the Amildars for orders, and they are held strictly responsible for any abuse of this authority. Should a longer detention appear necessary, they must either send the prisoner and witnesses to the Amildar, or forward to that officer a statement of the circumstances for his orders.

TULWARS AND TOTIES

103. All offences or unusual occurrences are regularly reported by the Tulwars and Toties of villages, as also by the Killadars and Candachar Officers to the Amildar and by him to the Superintendent.

KILLADAR

104. It is the peculiar duty of the Killadar and, under his orders, of the subordinate Police Officers, to search for information, and place it before the Punchayet in all Talook enquiries.

THE PRINCIPAL SUDDUR MOONSIFFS

105. The Principal Suddur Moonsiffs have power to punish to the extent of two years' imprisonment, with or without hard labour, in all cases referred to them for investigation and decision by the Superintendent, but they have no *original* jurisdiction in criminal matters.

THE SUPERINTENDENT

106. The Superintendent has power to sentence to seven years' imprisonment with or without hard labour in irons; he reviews all cases enquired into by Amildars or decided by Moonsiffs, and commutes or confirms the decisions of the latter.

107. In cases of murder, gang, or torch robbery, or other offences, which involve capital punishment or a term of imprisonment in excess of his powers, the Superintendent refers the matter for the decision of the Judicial Commissioner.

108. Whenever the Judicial Commissioner in any criminal trial coming before him may consider a sentence of death to be called for, he shall duly pass and record such sentence and then shall submit the proceedings of the trial to the Commissioner for his opinion. If the Commissioner should concur with the Judicial Commissioner in the justice and propriety of the sentence of death so passed, he shall record such concurrence on the proceedings and shall return them to the Judicial Commissioner in view to the due execution of the sentence without reference to the Government of

India for confirmation thereof. Provided always that no capital sentence shall on any account whatever be carried into effect without the concurrence of the Commissioner to be duly recorded on the proceedings of the trial.

THE ADAWLUT COURT

109. In criminal matters the Adawlut Court has no jurisdiction unless when cases are referred to it for investigation by the Commissioner.

CORPORAL PUNISHMENT

110. In the case of boys found guilty of slight offences, when the age does not exceed sixteen years, corporal punishment, in the form of school discipline, to the extent of thirty strokes of a cane, is administered by order of the Superintendent.

111. All other cases, coming under the head of theft or robbery, are punished with hard labour in irons for a period proportionate to the nature of the crime.

112. Females are never under any circumstances subject to corporal punishment.

COURSE OF PROCEEDING

113. In cases of murder, or when a body is found under suspicious circumstances, the Paishcar or Killadar, if they are in the neighbourhood, or if they are not, the Shaikdar at once assembles a Punchayet, when a careful examination of the body is made, and if the Punchayet give it as their opinion that it is only a case of accidental, or sudden death, unattended with suspicious circumstances, after a report has been made to the Amildar, or after an order has been given by the Paishkar or Killadar, if either is present, the body is buried, but no subordinate Police Officer can order its interment. Should suspicion attach to the case, the Punchayet examine the body, they note any apparent marks of violence, and the probable means by which life was destroyed. They next enquire into all circumstances which may throw any light upon the matter, such as the habits, connections, circumstances, associates, mode of life, etc., of the deceased, and should suspicions attach to any individual, the proper researches are made to fix the guilt upon him, or to clear him of the crime. This preliminary investigation, which is made with all practicable speed, hardly ever fails in eliciting the true facts of the case.

All suspected parties are then, if the circumstances warrant it, taken up, and together with the necessary witnesses are assembled at the Amildar's Cutcherry, where that Officer, with the assistance of another Punchayet, makes a second full, but concise investigation, and then forwards the whole of the proceedings, prisoners,

evidence, etc., together with the opinions of the Punchayets and himself, to the Superintendent for orders.

114. The charges are read to the prisoner or prisoners, both in the Amildars and Superintendents' Courts, and it is optional with him to plead "guilty" or "not guilty." A prisoner is permitted to call for any witnesses or evidence, which he may think it desirable to bring forward in support of his defence.

115. In cases of gang, torch, or any other description of robbery, the nearest public servant enquires into the time, place and circumstances attendant on the robbery; he examines at once any traces of the thieves which remain; he finds out who saw them, what caste, or description of men they were, what arms they used (if they had any), what kind of property they stole, the value of it, as also any other particulars of which the parties robbed or their neighbours may be aware; and when the Punchayet is convened by the proper authority, he lays all these circumstances before them.

116. If neither the Amildar nor Paishcar is in the immediate neighbourhood when a robbery takes place, or if they are unable to attend, the Shaikdar can carry on the investigations above set forth: but he must report progress minutely to the Amildar. Under such circumstances the Shaikdar can take up parties to whom suspicion attaches, and summon witnesses, but he cannot retain anyone in custody longer than twenty-four hours, without the Amildar's sanction.

117. In all serious cases, the Amildar, when he believes the charge to be true, is obliged to forward the suspected parties, together with his preliminary investigation, to the Superintendent within seven days.

118. On the receipt of a serious case from the Amildar, the Superintendent either at once commences the investigation of it himself or refers it to the Moonsiff: in either case a Punchayet is assembled, when the original proceedings, together with the opinions of the Amildar, and the two Talook Punchayets, are brought under review: any further evidence that may be considered requisite is then called for, after which the Superintendent's or Moonsiff's Punchayet draw up their Mahazur, and upon a review of the whole the Superintendent passes his sentence in the matter, making a record of any remarks which he may wish to offer in English, or refers the matter to the Judicial Commissioner for his decision. All cases which may involve capital punishment take precedence of all other trials whatsoever, and while no pains are spared in the conduct of their investigation and in the general setting up of the case, the record of the proceedings is submitted to the Judicial Commissioner with the least practicable delay.

It is the desire of the Supreme Government that persons accused even of heinous offences, which are not bailable, ought not before commitment to be kept in custody on mere suspicion or unless

there be reasonable grounds for believing them to be guilty, and that after commitment the trial should be held at once on the evidence submitted and the accused either convicted and punished, or acquitted and released.

119. If the Superintendent, on the review of the case decided by the Moonsiff, wishes to alter or commute the sentence, he must re-investigate the matter himself *de novo*; or if he prefers it, he can refer the matter back again to the Moonsiff for that Officer's reconsideration.

120. The Judicial Commissioner, on a criminal case being referred for his decision, after a careful perusal of the proceedings, either passes sentence himself, or in minor cases, directs the Superintendent to do so.

121. Punchayets for civil and criminal investigations are summoned in the same manner, and a prisoner has the same permission to challenge as a plaintiff or defendant. There is this difference, however, that no criminal investigation is permitted to be carried on without a Punchayet, whereas in civil cases it is optional with the head of the Court to convene one, or not, as he thinks desirable.

PUNCHAYET

122. Under this head, Magistrates and District Police Officers under the orders of the Magistrate are permitted to apprehend and place in confinement persons of notoriously bad character or whose habits of life are suspicious, until they can give good and reliable security for their future good conduct.

VAGRANTS

123. To prevent undue oppression on the part of the subordinate Police authorities, under the pretence of carrying out the provisions of this order, every individual apprehended under its authority is forwarded to the Superintendent, or his Assistant, for examination, and can only be confined, or punished under the express orders of the former, and no individual taken up under the provisions of this Regulation can be confined for a longer period than three years. If a security be offered, the demand is restricted to a sum not exceeding Rs. 200, for a period not exceeding 12 months, commutable on default to a detention in confinement for the same period.

PROPERTY OF PRISONERS AND STOLEN PROPERTY

124. Convicted robbers are held responsible for the property stolen by them, and when they fail to restore it, their own property is seized to make the value good. In other cases an increased term of imprisonment is awarded which extended period is, however, remitted should the prisoner subsequently give such information as leads to the recovery of the property.

SEIZURE OF CRIMINALS BEYOND THE FRONTIER

125. The surrender of fugitive criminals is reciprocal, but they are not delivered up without a warrant, either on this or on the other side of the frontier, unless upon a hue and cry, and even then the sanction of the Talook authorities, in whose jurisdiction the man is taken, is requisite to justify his detention, and the issue of a warrant for the apprehension of an individual beyond the frontier is invariably reported to the Magistrate within the limits of whose District the man is supposed to be.

SOLEMN AFFIRMATION

126. All witnesses on criminal investigations are required to make the prescribed solemn affirmation.

INHABITANTS OF VILLAGES TO DEFEND THEMSELVES

127. Villagers are authorized and encouraged to use arms of every description in defending themselves and their property whenever their village is attacked by either gang or torch robbers, and valuable bangles are bestowed by the Government on those who distinguish themselves on these occasions.

EMBEZZLEMENT

128. Public servants in gross cases of bribery, embezzlement, or connivance at fraud, robbery, etc., are liable to be fined in double the amount made away with; and in addition they may be imprisoned, with or without hard labour, for such time as may be deemed suitable to the offence.

POLICE SUPERINTENDENT

129. The Police Superintendent of the Bangalore Cantonment has authority to punish with, or without, hard labour to the extent of seven years and to the extent of Rs. 50 by fine. The Judicial Commissioner, however, has power to commute, or remit, any punishment awarded by that Officer. In cases involving a punishment in excess of seven years' imprisonment, the Police Superintendent refers the case to the Judicial Commissioner.

LUMBANIES, KOORMURS AND WADDERS

130. These three castes, but more particularly the two former, may be looked upon as the professional thieves of this part of India. They are in fact thieves not only by inclination, but also by descent; it is their hereditary trade or calling; and until within the last few years, their nominal occupations were but exercised as a cloak or means to the better carrying out of their thievish plans and propensities. With a view, therefore, to provide for the evils attendant upon the existence of such classes, Regulations have been estab-

lished which have been found to diminish to a considerable extent the irregularities attendant on their presence.

131. The Naiks of the Lumbanies, and the head men of the other two classes throughout this Country, have been obliged to furnish good and reliable security for the future good conduct of their tandas in the case of the former, and of those under their immediate control in the case of the latter.

132. The different classes are considered to be permanently under the surveillance of the District Police, and all their movements or changes of abode are watched, noted and reported.

133. A Register showing the name and dwelling-place of each individual of the different tribes is kept up in each Talook Cutcherry, copies of which are forwarded regularly to the Superintendent of the Division.

FINES

134. In Civil Cases for contempt of Court, and in Criminal Cases for petty and other offences, for which imprisonment in the Common Jail would scarcely be a suitable punishment, Courts have power to fine to the following extent:—

Amils and Mysore Town Moonsiff,	not above Rs.	7
Bangalore Town Moonsiff,	do.	10
Suddur Moonsiffs,	do.	15
Superintendents,	do.	30

The Huzoor Adawlut, in any sum it may deem correct, subject to the approval of the Commissioner.

APPENDIX B

POPULATION

UNTIL 1855–56

There has been a considerable increase in the population of Mysore since the assumption of the country. The first census was taken in 1840–41, when the number of inhabitants was found to be 3,050,713. The next census was in 1851–52, when the population had risen to 3,460,696, being an increase of 409,983 in ten years. Since that period annual returns have been regularly obtained. In 1854–55 the population was 3,535,441, and in 1855–56, 3,629,577, showing an increase in the twelve-months of 94,136.

The mode in which this population is distributed is shown in the accompanying table, to which may be added the number of inhabitants and houses in the five principal towns.

	Population	Houses
Bangalore	162,979	21,689
Mysore	55,356	11,091
Seringapatam	15,653	5,221
Toomkoor	9,604	2,459
Shemogah	12,671	2,605

These returns do not effect the minute accuracy of an English Census, but they are sufficiently correct for all practical purposes, and, in connection with the revenue returns, fully establish the fact that the country is steadily advancing in a course of material prosperity. The average population of each square mile is 134.

The number of the Inhabitants in 1855–56 was stated to be 3,629,577, while in the present year it is estimated at 3,609,104. The Commissioner can suggest no cause for this falling off, if indeed it owes its existence to any other cause than the inaccuracy to one or both returns.

1857–58

For the succeeding year the number is 3,738,927, showing an increase of 129,823. These returns, it is to be feared, have small pretensions to minute accuracy, but the large increase in the present return is in a considerable degree to be accounted for by the circumstance of the Island of Seringapatam, a Company's possession, having been omitted last year.

1858–59

The population in the Reports of the year just past is estimated at 3,822,233, showing an increase of 83,296 over the estimate of the

POPULATION

		Hindus			Mussulmans				
		Males	Females	Total	Males	Females	Total	Total Population	Area in Square Miles
Bangalore Division, including Cantonment	1855–56	563,587	506,267	1,069,854	34,503	32,895	67,398	1,137,252	5,695·4,081
	1856–57	550,875	500,256	1,051,131	40,598	39,053	79,651	1,130,782	
	1857–58	562,827	505,992	1,068,819	41,990	39,527	81,437	1,150,256	
Chittledroog Division	1855–56	327,724	285,457	623,181	9,903	8,823	18,726	641,907	7,724·3,438
	1856–57	349,274	298,712	647,959	10,132	9,027	19,159	667,118	
	1857–58	353,549	300,317	653,866	11,465	9,879	21,344	675,210	
Astagram Division, including Yellundoor and Seringapatam	1855–56	599,413	531,863	1,131,276	18,290	16,704	34,994	1,166,270	7,493·2,826
	1856–57	584,228	517,318	1,101,546	16,223	15,009	31,232	1,132,778	
	1857–58	631,488	539,047	1,170,535	25,855	22,357	28,212	1,218,747	
Nuggur Division	1855–56	346,072	306,583	652,655	18,355	13,138	31,493	684,148	6,091·4,652
	1856–57	343,617	403,691	647,308	18,163	12,955	31,118	678,426	
	1857–58	353,379	310,511	663,890	17,961	12,863	30,824	694,714	

previous year. The Mahomedans number only 2 lakhs and a few hundreds to upwards of 36 lakhs of Hindus.

1859–60

The population, according to the usual Census Returns sent in annually, is computed at 3,821,864. There is a gradual and steady increase each year. The health of the country has been tolerably favourable, with the exception of the town of Shemogah, the head-quarters of the Nuggur Division, where cholera showed itself for a short time in a most virulent form. I regret, however, to state that, since the close of the past year, both fever and cholera have prevailed to a most destructive extent, and that scarlatina, a disease never before known in this Territory, has been introduced by the families of the Dragoon Guards lately arrived from England.

1860–61

The Population of the Territory has increased during the year under review by about 40,000, the present number of all castes and classes being as nearly as can be ascertained 3,864,676.

The health of the people generally has been good, but I have with extreme regret to state that the Western portion of the Astagram Division has been an exception to the rule. It was visited by one of the most serious outbreaks of Cholera that has ever passed over any portion of Mysore, and in a short space of time, and within a very limited extent of country, nearly 5,000 people were carried off by this fearful scourge.

APPENDIX C

REFORMS IN CUSTOMS DUTIES

(i) The Sáyer

Sáyer was collected under three heads.

1. A Transit duty. 2. A duty either on the production or manufacture of certain articles. 3. A duty on the sale of almost all articles whether by wholesale or retail. (In Canarese called respectively (1) Bharamag; (2) Stull Bhurty; (3) Kurgpudy.) Under these three heads no less than 537 different taxes were then levied. One officer, who endeavoured to master the intricacies of the then system, said that he thought it would be difficult for human ingenuity to frame a system of duties more unequal, more uncertain or more complicated and therefore more injurious to commerce and enterprise.

A short statement descriptive of the system of realizing the taxes under each head, at the time of the assumption, will suffice to show the oppression and mischievous impediments, which must have been the result of the then complex system.

1. BHARAMAG OR TRANSIT DUTY

In 1831–32 the whole country was dotted with Sáyer Cuttahs to the number of 689; they were to be found not only all round the frontier, but at distances which never exceeded 15 miles, on every bandy road throughout the country. Some time prior to 1810 the Dewan Poorniah, then Regent, issued a set of tables for the guidance of these Cuttahs, but they had fallen into utter disuse in 1831, and setting aside altogether any idea of an original principle, a uniform rate, even on any one item, was a thing not to be found.

It is true that Tariff Tables, called "Prahara Putties," exhibiting the rate of duty to be paid on each article, were at one time issued by the Circar, and posted up in most of the Cuttahs, but the Government itself was the first to infringe the rules by granting Cowls to entire or partial exemption to certain favoured individuals; and the same mischievous system was further propagated, by the granting of similar Cowls by successive izardars and sub-renters to their own particular friends during their own period of incumbency, and which became confounded with those granted by the Circar. Every Chowkey on the road had its own rate; in some places the charge was made on the quantity according to one standard, in others according to a standard far different. Some Cuttahs made the merchant pay a certain high rate per cooly load, whether carried by a cooly or not, and others by the bullock or the bandy load, in precisely the same manner, that is to say, without any reference whatever to the usual

mode of conveying the article. There was in fact every deviation in the system of levying the transit duties, which might be anticipated from 689 Sáyer Goomashtahs being permitted to act independently without system, and without being responsible for their acts to any person whom they could not easily propitiate.

2. STULL BHURTY

Under this head nearly everything produced or manufactured throughout the country was taxed, and this without system. Districts, Talooks, Towns, Villages, all had different weights, rates and methods of proceeding; articles of necessity and luxury, of export and import, remunerative and which gave a return of only a few annas per annum, were all taxed. Some paid a commutation tax, and occasionally particular individuals were exempted from payment. In some places a temple, shrine or devotee was entitled in the first instance to a certain quantity of the article; perquisites and privileges were innumerable. One man had a right to take a handful of grain at a certain place, and another man had the privilege of exacting a toll in a different manner further on; in some places capable of producing certain articles to an unlimited extent, the local rates became so exorbitant as literally to prevent their production. An instance of the manner in which the Tobacco tax was levied in one Talook will suffice to show what opportunities then existed for oppression and extortion, as well as the impediments which existed to the facilities or freedom of trade.

Every Ryot in Cuddoor who wished to sell his Tobacco had to send for the Government Goomashtah, who took a ½ maund called "Malai," first, on account of Government, then another ½ maund called "Kai Malai," then the heap was weighed, then so much, called "Pummoo," was charged on each maund, then another tax called "Soonka," and lastly another, called "May Pummoo," was levied, and then it had to be taken to the nearest Cuttah where it paid transit duty, when it was free to start, and run the gauntlet of the other Cuttahs along the road to the town or market for which it was intended.

3. KURGPUDY, OR DUTY LEVIABLE ON THE WHOLESALE OR RETAIL SALE OF ANY ARTICLE

Under this head nearly every article paid, which, under the two other heads, escaped taxation. No Talook, Town or Village charged the same rates. It would appear to have been arbitrarily fixed in a manner so unequal and capricious that some of the most valuable products were by the addition of this duty thrown out of the market, and in some places noted for the production of Jaggery, Oil, Silk, and Tobacco, it was found cheaper to import than to produce or sell that which was the production of home labour. As an example of the capricious manner in which this duty was levied

it is only necessary to mention how the tax on Cocoanuts varied. These nuts paid in one place 50 per cent., and 30 per cent. retail duty. In another place only 30 per cent. under each head; in others again, if they paid the higher rate they paid retail duty, but if they paid the lower, they were not liable to it; other articles were exempt from retail duty in one place if they paid excise in another, but not if they paid transit duty; and in another place nothing saved those articles—they paid under *any* circumstances. To enter into the details of such a system within a moderate compass is quite impossible and would be both wearisome and uninteresting.

THE EXTENT OF SÁYER

The difficulties which beset the unravelling and systematizing of the Sáyer may however be readily understood from the above, and the extent to which its ramifications reached may be at once appreciated when it is brought to notice that, under the head of "Sáyer," people who swung their arms on passing a certain Cuttah were stopped, and had to pay a tax; and that the coolies, who came for a month or two to work in the Nuggur Betel Gardens, had to pay a tax peculiar to that part of the country under a distinct head. "In certain places, and in particular castes, taxes were levied on marriage, on taking a concubine, and on incontinency; on a female of the family attaining puberty; on a child being born, on its being given a name, and on its head being shaved; on the death of a member of the household, and on the subsequent purification ceremonies. Umbrellas were taxed, and so were individuals who passed a particular spot in Nuggur without keeping their arms to their sides. There was one village whose inhabitants had to pay a tax because their ancestors had failed to find the stray horse of an ancient poligar; and there was a caste of Sudras who were mulcted for the privilege of cutting off the first joint of one of their fingers in sacrifice. Fees were levied from bankrupt Government contractors for permission to beg (it is not stated what classes were likely to bestow alms upon them), and taxes were demanded from individuals who went to live in new houses, or who listened to the reading the New Year's Calendar. Each of these items had its own particular name, under which it was formally entered on the Records of Government as among the resources of the State." To this may be added the fact that the daring climbers, who robbed the nests of the myriads of wild pigeons that built against the perpendicular sides of the vast ravine into which the Gairsuppa River precipitates itself, were made to pay a percentage on the grain which they thus collected at the daily risk of their necks.

HOW BROUGHT INTO ORDER

It is now necessary to show the steps by which the Sáyer system of taxation was deprived of its obnoxious and oppressive tendencies,

and reduced to a moderate degree of order with positive advantage to the Revenue of the State.

In 1831–32, under the system then in existence, the Sáyer under 537 heads produced only Rs. 6.69.557. During the subsequent 28 years, by the abolition as they came under notice of all those taxes which pressed heavily on the industry of the country, or appeared to be either oppressive, or very unremunerative, remissions aggregating no less than 8 lacs have been made, or a sum of 2 lacs in excess of that which in 1831–32 was realized from Sáyer in all Mysore, has been already struck off; and yet the prospective Revenue for next year under the 25 heads, Hálut inclusive, which are all that now remain out of the 537 of former days, will, it is safely calculated, reach a sum in excess of 9 lacs of Rupees.

SYSTEM AT THE TIME OF THE ASSUMPTION

At the time of the assumption in 1831–32, the system found existing for the collection of the Sáyer was identical with that which has been described below in the memorandum on the Hálut. Cuttahs, Talooks and Districts were all rented, and a few sentences will suffice to show the objections which existed to the continuance of this system, which then controlled not only the sale, but the use of all articles of export, import or consumption.

THE RENTING SYSTEM

The renting system prevented the development of the Sáyer Revenue. It enabled the Sáyer contractors and their subordinates to oppress the merchants, and impede with impunity the inland traffic in any manner that they considered inimical to their individual interests.

Even as to the Cowls which certain merchants enjoyed, there were perplexing differences in the way which the deductions were calculated. With some it was a fixed percentage to be deducted from the proper rate to be levied; while with others the full rate was taken, but only on a certain fixed proportion of the goods.

Another fertile source of confusion and corruption was that, to gratify some particular izardars, certain merchants and certain productions were confined to particular routes; and, if they travelled or were carried by another line of custom-houses, the Izardars of that line were made to pay compensation for the loss presumed to have been sustained by the renters of the prescribed line.

When it is considered that there was hardly a luxury, certainly not a necessary of life, which was not subject to pay duty to the authorities of these seven hundred and sixty-one Sáyer Chowkies, and that some of these duties were payable daily, some monthly, and some annually; while there were others of items which involved the necessity of a prying scrutiny into the most private and delicate domestic occurrences, it may be imagined that the system was cal-

culated to interfere constantly with the comfort and the interests of every portion of the population. It is possible indeed that it may have been framed originally with some such idea, for a legend current in Mysore assigns the palm of wisdom among monarchs to a prince who invented three hundred and sixty-five taxes, each leviable on its own particular day, so that no twenty-four hours could pass without the idea of the prince's power having been brought home to each of his subjects in the most unmistakeable way.

Great as was the direct annoyance to the people, the indirect, by the obstacles thrown in the way of trade, became still greater. In fact stranger merchants were practically debarred from entering the country, and the whole of the trade, such as it was, became monopolized by the Sáyer contractors or their servants and a few practised traders, who were in close alliance with them or knew how to command powerful interest at the Durbar. Great difficulty also was experienced under the renting system in collecting the amount of the rents, and arrears to an enormous amount were the result. The unlimited power, too, was not so much detested by the people on account of the money they took from their pockets, as on account of the iniquitous use which was made by the izardars and their myrmidons of the Police powers with which it was a necessary part of the system to invest them, which was gradually falling into the hands of these great contractors, enabled them to control the proprietors of the soil to such an extent that the latter were fast becoming mere cultivators, and the former by their influence were rapidly superseding the authority of the Government to the detriment of the people, and arrogating to themselves an authority which might, by the disaffected or the designing, have been used at any moment as an engine of political intrigue.

At the time of the assumption of the country the Sáyer was found to be mostly farmed out, and it was next to impossible to ascertain the extent of its resources, the number and nature of the strangely miscellaneous articles it included, or how far it was susceptible of improvement. The accounts of the Circar gave the nominal, but not the real settlements, and those furnished by the contractors themselves were of course not to be relied on. As immediate reform thus became impracticable without risk of serious error, the only thing to be done was to watch the renters narrowly, and to set about collecting the required information in every possible way.

In addition to this the revenues of the state were in a most reduced condition, with a heavy load of arrears of uncertain amount to be cleared off, and it was considered better therefore in every branch of administration to proceed gradually and with caution, grabbling with the most glaring grievances and correcting the others one after another as the state of the finances improved and acquaintance with the real state of the country advanced.

In this way many duties were allowed for a time to remain which

can be justified by no abstract principles of political economy, but which the state of commerce, and other local circumstances rendered it advisable to retain for a time at least, if not permanently. The rules, however, under which these were levied were purged of all ambiguity, and, being expressed in the simplest terms, are intelligible to the meanest trader, and the Sáyer may very clearly be said to have been collected without a wrangle.

THE FIRST MEASURE ADOPTED

These and other considerations led to the adoption of new measures. Certain Talooks of the Nuggur Division were placed under exclusive Government control (or what is called "Amany") by the Commissioner as an experiment in 1836, and all the other Talooks were ordered to be rented separately, and experience having been thus gained, the whole system of renting, unless under peculiar circumstances, or in the case of a particular article, was abolished in 1846.

THE DIFFERENT REMISSIONS NOTED IN SUCCESSION

The abolition of the taxes on the different articles which paid Sáyer duty has been only very gradually carried out. The first article which it was thought to relieve from pressure was grain. In 1832 all duties, except those of transit, on every description of grain were struck off, and in 1834 the Transit dues on it were abolished. This was considered at the time to have been a most successful measure, and there is every reason to believe that it was both just and necessary to give this item priority over all others in the matter of relief from pressure of taxation. In 1836 several changes were effected. Previous to this date the servants of Government were entirely exempt from any payments on account of Sáyer. This immunity was cancelled in this year, and about the same time all articles of European manufacture, which previously paid very heavily, were exempted from any further imposts, and were declared free throughout the province. In 1836 all the petty and vexatious duties which under the general head of Sáyer were levied on vegetables, Plaintains, Wood, Coolies, Leaves, and also the export and other duties upon Cattle, Iron and Steel were struck off; the effect of these abolitions will be fully apparent when it is mentioned that the number of cattle exported rose from 3,000 to 12,000 in a few years, and that the home consumption of Iron, and the export of Steel, which is produced of admirable quality in Mysore, at once rose in a still greater ratio.

In 1839 all Roosums and perquisites of Temples, Shrines, Devotees, Faquirs, and religious Mendicants were abolished—these establishments and individuals were privileged to levy tolls at certain places and in certain quantities; that the rules originally laid down were seldom adhered to can easily be believed, and it was at last found

that these Roosums or Tolls were as various and arbitrary in quantity and value as they were in the number of places where they were levied. When they were abolished in 1839, the title deeds of all those who could produce any were examined, and whoever could establish a just claim was allowed a certain amount of compensation, generally a life allowance, which goes under the name of Vurshasun. The difficulties which arose in the adjustment of some of these claims are scarcely to be credited.

In 1841 Adekas, a duty which was levied on all articles brought to a fair or Juttra for sale, was abolished; this was a most vexatious and objectionable tax, and its abolition was considered a very great boon.

Until 1842 Mutts, Devastans, and religious establishments generally, and all those who belonged to them, were exempt from Sáyer duty. This immunity was taken advantage of in various ways, the privileges granted being exaggerated in nearly every case, Government being thereby seriously defrauded. The exemption ceased in this year. In 1842 also all transit duties on Betal-nut, Pepper and Cardamums were ordered to be discontinued, and the modifications mentioned in the Memorandum on the Hálut were then carried out.

In 1843 and 1844 a number of petty imposts were struck off; they comprised various duties on sheep's wool, blankets, fowls, eggs, bamboos, and many other articles.

The whole of the Tobacco duties were revised in 1845. The contract system was summarily abolished; the tax on the article was taken into "Amany," or direct Government control, all vexatious duties were abolished, and a uniform rate of Rs. 1 per maund on all Tobacco for home consumption, and Rs. 1.4.0 on all Tobacco for export, was ordered to be levied. The effect of the abolition of the disguised monopoly which, under the name of the contract system, existed up to this date, and the introduction of this measure, which though long contemplated, was introduced with some misgivings, will be clearly understood when it is stated that the Revenue under the head of Tobacco rose immediately 30 per cent. The mere withdrawal of the contractors made the true state of affairs at once fully apparent. On the trade becoming free, the producers found that they were able to obtain for their whole stock Rs. 3-8-0 the maund, instead of Rs. 1-8-0 which was all that the contractors gave, and all that they could obtain under the previous system, as they could sell to no one else; and the extortion of the contractors will be still more fully appreciated when it is mentioned that the retail price at once fell from Rs. 6 to Rs. 5. Thus it will appear that the consumer, the producer and the Government, all gained by the abolition of the contract system, and that the profit of a contractor was scarcely less than 300 per cent.

In 1846 and 1847 the Nikalee Hassil was abolished; this was a separate tax, which can scarcely be said to come under the head of

any of the others; it was a distinct duty, payable on the removal of any article from one place to another, whether it had previously paid any or all of the other duties or not; this tax was felt to be very irksome, as without payment of it the petty trader, or merchant, was debarred the privilege of trying a second market for the sale of his merchandise.

In 1847 the renting system in the Sáyer Department was discontinued: wherever it could be done with advantage or without any great apparent risk of loss of Revenue. It had long been felt that the system which permitted Sáyer contractors, who controlled the merchants and the trade of the country under the authority, and with the apparent sanction of Government, was extremely oppressive, and very detrimental to the interests of the Government; but the finances of the country were not for many years in a condition which justified any innovation likely to cause a loss of Revenue; and until repeated experiments gave rise to the conviction that the Revenue under the head of Sáyer would not fall off by being brought under the direct control of the officers of the Government, it was not thought prudent to make sweeping changes.

In 1848 the duty, levied on Saccharine produce under various heads, was struck off in the Nuggur and Chittledroog Divisions, and recently in the other two also. Sugar-cane is very extensively cultivated in Mysore, and Sugar and Jaggery are largely produced and exported; the various duties which were levied on it under several heads were thought to check both the trade and production, and as all cane-planted land pays a high assessment, it was not thought advisable to impede by the levy of extra taxes the development of this highly remunerative production.

In this year also the duty was abolished summarily on all articles which were found not to have produced during previous years more than 25 pagodas. The relief afforded by this last measure was very great, the loss to Government was very small: as it was these small items which principally gave rise to that inquisitorial and petty oppression, which either contractors or subordinate Government servants were but too glad to have the opportunity of carrying into practice.

These reductions did not affect the Revenue to the extent which would at the first glance be inferred; each reduction seemed apparently to give increased elasticity to the remaining items, and the loss which occurred on each occasion of the abolition of taxes was more than made up by the development of production and traffic in the case of those that remained. The Revenue under 537 heads (Hálut inclusive) in 1831–32 being a little more than 6½ lacs of Rupees against 8½ lacs of Rupees from 233 general heads in 1850.

All the above-mentioned items were not struck off exactly at the same time in the different Divisions, as in many cases the abolition was sanctioned as an experiment in one Division before being

extended to the others; thus there remained in 1851, 233 articles which paid Sáyer duty in all the Divisions, but many of them which had been struck off in the two thinly populated districts of Nuggur and Chittledroog were still retained in Astagram and Bangalore; during the two subsequent years, however, they were all struck off in these two Divisions also without much loss of Revenue. And the principle laid down in the Despatch of the Honourable the Court of Directors, extract of which is given below,[1] having been taken as a guide, still further reductions have been made, until on 1st of January, 1860, exclusive of the Hálut, only 55 taxes were leviable under the head of Sáyer in the Mysore territory. The taxes abolished during the period here referred to comprised small dues of every form and degree leviable from retail dealers and the workpeople in the towns, besides a vast number of oppressive taxes levied in an arbitrary manner from the ryots on the portion of the produce which they retained for their own use. Prior to 1851 every retail dealer in clothes, pots, mats, baskets, chunam, oil, ghee, betal, paddy, vegetables, etc., had to pay different trifling demands called Sáyer taxes; butchers, dyers, washermen, weavers, silk-spinners, oil-mill owners, and many others of such like occupations were also separately taxed under various heads, all classed under the general head of Sáyer.

For some short time past few taxes have been abolished, but careful consideration has been given to the subject of Sáyer, and the items of which it is composed have been reviewed and scrutinized with considerable attention; in fact the taxation under this head had at length been brought within manageable compass, and it became easy to decide what could be taxed and what could not, and also what was worth retaining, and what was unremunerative, a slight alteration of system, which would simplify the method of collection and obviate oppression, also became feasible, and a revision, the general features of which will now be given, was directed to be carried out generally on the 15th of January, 1860.

LATEST CHANGE OF SYSTEM

On the above date all those duties which were levied under the several heads of "Stull Bhurty," "Kurgpudy," "Hasil," etc., etc., and which comprised taxation on production, export, and the

[1] The Court of Directors, in their Despatch No. 26, dated July 9th observe:—

"Approving as we do of the successful efforts which have been made to abolish or reduce a variety of taxes pressing in some instances upon the industry, or affecting the comforts of the people, and in others affording to monopolists the power of oppression and extortion without materially increasing the revenue of the state, we concur in the suggestion made by you to General Cubbon regarding the advantage of abolishing or reducing other taxes still in operation."

wholesale and retail sale of goods, were at once discontinued, and a simple *ad valorem* excise or "Bhurty" duty was ordered to be levied at a certain rate of percentage on 20 articles given below,[1] to be paid only once at the place of sale or export when a pass for the quantity was to be given, and the merchant was relieved from further annoyance, detention or extortion. It is believed that this plan will be attended with immense relief to all classes, at the same time that uniformity and simplicity of system is being attained.

REMARKS UPON TOBACCO

The only item among those previously existing, the tax upon which has not been altered or modified, is Tobacco. The duty upon this article in Mysore approaches more nearly to the tax on Betalnut, Pepper, and Cardamums, which is designated Hálut, than it does to Sáyer, as it is not an excise or *ad valorem* duty, but a fixed payment of one Rupee on each maund without any reference to the market rates. This plan was introduced in 1845, and has continued ever since; the tax is profitable, the amount realized in 1858–59 being Rs. 1,17,661–0–0; it is willingly paid, no extra establishment above that existing for the collection of the other Sáyer duties is necessary; it is decidedly a luxury, and therefore a legitimate object of taxation, and no objection to it seems to have ever entered the minds of the Natives of this country; indeed the cultivation of the plant has become more extensive of late years, and in some good seasons the amount realized has reached nearly 1½ lacs of Rupees. Every Ryot is permitted to retain as much as he pleases, free of duty, for his own use, and is not liable for any payment on the remainder until he either sells or exports. There is another point which should be mentioned before ceasing to discuss this item, namely, that at the present form in which it is taxed is perhaps the only one by which a fair revenue can be obtained from it without the reintroduction of transit dues. For the cultivation of Tobacco is not confined to one locality, the plant is grown in all parts of the country; large fields of it are seldom to be seen, but still there is scarcely a village throughout the Province where a small patch is not cultivated. Under these circumstances it is not clear that any

[1]

	Percentage		Percentage
1. Opium	15	11. Tamarinds	5
2. Manufactured timber	14	12. Chillies	5
3. Dry cocoanuts	12	13. Ghee	5
4. Betel Leaves	12	14. Silk	5
5. Ganjah	10	15. Country piece goods	5
6. Fresh cocoanuts	8	16. Cotton	5
7. Earth Salt	5	17. Hides	5
8. Sesamum seed, 1st sort	5	18. Sheep and Goats	5
9. Sesamum seed, 2nd sort	5	19. Iron	5
10. Castor-oil seed	5	20. Country Blankets	2

other advisable form of taxation would reach this item—besides, the tax being payable only when the Ryot has surplus stock that he wishes to dispose of, it is not considered by the cultivators either oppressive or objectionable.

NATURE OF RECENTLY ABOLISHED TAXES

The taxes just abolished number 30 in all, they are mostly trifling, the amount raised from them all during the past year being scarcely more than Rs. 40,000 in all the four Divisions, which amount the change of system will not only reimburse in full, but will, it is calculated, quadruple in the ensuing year. The principal items among the abolished taxes consist of the duties leviable on the oil which were produced from the seeds which still pay duty, and also those payable on Saccharine produce in two Divisions where such taxes were retained when struck off elsewhere. The amount heretofore realized from the other items struck out were very trifling, and neither worth the labor nor establishments which were necessary for its realization.

It only remains now to state that there does not seem any objection to the continuance for the present of a duty upon the articles which remain;—the relief to the trading and mercantile community, and the freedom from vexatious interference and petty oppression, which must be the result of striking off an aggregate of 517 small taxes, is thoroughly appreciated, and the continuance of the duty upon 20 articles may be considered perfectly legitimate; they are products which are neither articles of luxury, exports, nor the use of which has enormously increased consequent upon the advancing prosperity of the country; they have always been objects of taxation, admitted to be justly so by the community, and much surprise would probably be the result were Government to summarily abolish any of them, and deprive itself of much legitimate revenue. The only articles on which a large percentage has been fixed are those given below,[1] and they are all such as can well meet the demand. Opium and ganjah are the only two on which the percentage has been increased, which is in their case quite justifiable; on all the others the rates are less than those which under the previous system they had to bear; betel leaves pay 12 per cent. against 17½ in previous years; cocoanuts dry and fresh pay only 12 and 8 per cent. against a total, as well as can be ascertained, of 17½ and 19½, which was the average amount of tax recoverable from either in 1859 after all the remissions of previous years. This amount of duty is perfectly admissible; the profit derived from the cultivation of cocoanuts is

[1]

	Percentage		Percentage
1. Opium	15	4. Cocoanuts, dry	12
2. Ganjah	10	5. Manufactured timber	14
3. Cocoanuts, fresh	8	6. Betel leaves	12

very considerable. The low winding valleys of Mysore are in many places cultivated for miles with nut Topes, which with little labor, and paying only a light land assessment, give large returns; for the dry cocoanut is exported from this Territory in immense quantities, the Hyderabad country and ceded Districts being almost entirely supplied from Mysore; and the immense increase of the trade shows, not only how the production, but also the demand, has been increased since the facilities of the trade have become greater by improved means of communication, and the abolition of all petty obstructions, and also since the diminution in the rates of duty which has been gradually taking place; for it is to be remembered that very few nuts crossed the frontier in 1830 which did not pay taxes, amounting in the aggregate to an *ad valorem* duty ranging from 30 to 60 per cent. The only other article on which a heavy percentage is levied is manufactured timber. Regarding this tax a few words are necessary. Since good roads have been constructed, and the forests along the Western Ghauts have been worked, and their value and importance developed, the quantity of timber brought into the nearest large towns of sale, and put up at the Government auctions, has been very great, and large quantities of it are now manufactured on the spot, into doors, windows, etc., etc., for transmission to all parts of the country. The town of Mysore has taken the lead in this trade, and people find it highly advantageous to obtain from thence all their building materials ready to hand. On this manufactured timber taxes were for some time levied under various heads, which on examination have been ascertained to have amounted to fully 17 per cent. on the value of the Articles. This has been reduced to 14, to be levied only once at the place of manufacture; the profits of this trade are large, and this rate is not considered in the slighest degree prohibitory.

The other items, with the exception of the course cumblies used by the whole of the lower orders throughout Mysore, have all been put down at a uniform rate of 5 per cent. In some cases this is less, but in others it is slightly higher than the rates which those articles paid during the period immediately preceding the revision, but in no case has any new tax been levied, and it should be remembered that all taxation upon 517 articles has been struck off, and that every one of these very articles now taxed paid enormously enhanced rates until very lately, as under the various heads of transit duty, Nikalee Hassil, Roosums, etc., etc., they were liable to authorized, unauthorized and arbitrary demands, the correctness or authority for which there was no possible means of ascertaining.

A concise statement is appended showing in a small space the value, in Rupees, of productions which, on being exported and consumed in Mysore, are now taxed inder the heads of "Sáyer," and also giving the percentage and probable revenue from them during

the ensuing year, to which is also added a statement of the amount which tobacco and the betal, pepper and cardamums Hálut produced in 1858–59, which will, it is believed, be far exceeded this next year. The aggregate amount now anticipated from these items being upwards of 9½ lacs, as compared with the 6½, from which the 537 heads of Sáyer was the total amount of revenue under that form in 1831–32.

No.	Names of Articles	Probable Value of the Quantities Exported or Consumed			Proposed Rates of an *ad valorem* Duty as Excise	Amount of Revenue as Derivable from the Adoption of the Proposed Rates		
		Rs.	A.	P.		Rs.	A.	P.
1.	Opium	1,20,438	14	7	15	18,065	10	0
2.	Manufactured timber	48,128	3	4	14	6,737	14	6
3.	Dry Cocoanuts	2,49,544	6	2	12	29,945	4	6
4.	Betal leaves	1,81,794	9	6	12	21,815	0	4
5.	Ganjah	8,169	9	8	10	817	10	0
6.	Fresh Cocoanuts	1,20,597	3	3	8	9,647	14	0
7.	Earth Salt	59,006	13	8	5	2,950	5	0
8.	Sesamum seed—1st sort	92,411	14	6	5	4,620	11	9
9.	Sesamum seed—2nd sort	79,842	6	7	5	3,992	0	0
10.	Castor oil seed	2,26,275	7	11	5	11,313	12	0
11.	Tamarinds	63,943	12	6	5	3,207	3	0
12.	Chillies	1,63,844	8	1	5	8,192	4	3
13.	Ghee	2,14,387	8	0	5	10,719	6	0
14.	Silk	9,54,591	9	0	5	47,729	9	1
15.	Country piece goods	36,30,501	14	9	5	1,81,525	1	3
16.	Cotton	3,59,582	10	3	5	17,979	0	6
17.	Hides	65,443	14	11	5	3,272	3	0
18.	Sheep and Goats	1,96,266	11	0	5	9,813	5	1
19.	Iron	1,48,507	3	6	5	7,425	5	7
20.	Country Blankets	2,39,007	6	0	2	4,780	0	0
	Total	72,22,286	11	2		4,04,549	7	10
	Add the amount of Hálut realized in 1858–59					5,49,957	15	7
						9,54,507	7	5
	Amount anticipated under all heads for 1858–59					8,59,798	3	1
	Anticipated increase					94,709	4	4

It will be seen from the above that the anticipated Revenue for the coming year under 20 heads, Hálut inclusive, is 9½ lacs; whereas, in 1831–32, under 537 heads, Hálut inclusive, it was no more than 6½ lacs. In 1831–32 Hálut was an integral part of Sáyer, but is now

RECAPITULATION

Total of Taxes Abolished or Reduced from the Assumption of the Country, viz. 18th October, 1831, to June 1854

Total Number of Taxes	Names of the Heads	According to the List Prepared up to June 1852 C. Rs.	A.	P.	Taxes Abolished from July 1852 to June 1854 C. Rs.	A.	P.	Total Amount C. Rs.	A.	P.
	Under the Head of—									
42	Revenue	138,116	1	4	19,641	14	6	157,757	15	10
482	Sáyer	741,740	12	3	82,884	10	9	824,625	7	0
39	Abkaree	7,289	1	9	0	0	0	7,289	1	9
187	Chillur Bob	79,663	2	2	324	14	8	79,988	0	10
18	Mohaturpha	4,065	2	6	100	13	10	4,166	0	4
1	Umroyee	77	11	4	0	0	0	77	11	4
769		970,951	15	4	102,952	5	9	1,073,904	5	1

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distinct, as previously shown, under the five heads of Betel-nut, Pepper, Cardamums, Coffee and Tobacco.

(ii) The Hálut

The Hálut, or Hásil, formerly included under the head of Sáyer, is at present an excise duty, levied on certain valuable products of the Mysore country, which under this form of taxation yield a fair revenue to Government without impeding trade, or being considered oppressive by the producer or the merchant.

The Articles on which the Hálut is now charged are four in number, Coffee, Betel-nut, Pepper and Cardamoms.

COFFEE

The coffee plant is not indigenous in the Mysore territory, nor can the date of its introduction be exactly ascertained. The seed is supposed to have been brought from Arabia by Mahomedan pilgrims some time in the fifteenth century, and to have been first planted on the slopes of the Baba Budan (an elevated mountain somewhat inland from the Western Ghauts), the summit of which is occupied by a shrine of great sanctity, the resort of devout Mussulmen from all parts of India. From this point the plant gradually spread over the adjacent districts; and trees of great age and unusual magnitude are still found in the inam lands of the shrine.

When the cultivation had become so important as to attract public notice the rule was established of dividing the produce equally with the Government; and the share of the latter was let for a trifling sum annually. Even at this early period the Mysore coffee found a ready sale, having been sent from Mangalore to Arabia, and exported thence as the genuine Mocha berry, while subsequently it was found more convenient to send it from Mangalore direct to Europe, packed in Mocha bags.

In the year 1822 the Government share was let for ten years to a Madras Firm (Messrs. Parry and Dare) for Rs. 4,270 per annum, and at the expiration of that period the contract was renewed to them for five years for Rs. 7,472.

In 1837 the system was changed, and the whole crop left to the cultivator, subject to an excise duty of one rupee per maund on all coffee removed from the place of production. This duty was readily agreed to, and in the third year from that date the revenue was raised to Rs. 14,811, or about twice the amount previously realized.[1]

[1] Collections from Coffee in Mysore

	Rs.	A.	P.
1. Khara, 1831–32	4,270	0	0
2. Nandanah, 1832–33	7,472	0	0
3. Vejeyah, 1833–34	7,472	0	0
4. Jayah, 1834–35	7,476	0	0

But numerous representations having been received that the commutation rate was too high to afford sufficient encouragement to the cultivator, while it opened the door to the smuggler, the rate was reduced in 1843 to 8 annas per maund, with the effect of raising the revenue in 1845 to Rs. 23,256.

In 1849 the duty was still further reduced to 4 annas per maund. This was followed by an immediate loss of revenue, and by considerable fluctuation in the ensuing years. But the good effects of the reduction have at length appeared, and in the least official year the revenue realized exceeded Rs. 44,000.

The districts bordering on the Western Ghauts, from the river Toonga south to the Principality of Coorg, are considered the most favourable to the growth of coffee, the plant requiring a moist climate, and a rich red soil, or maiden forest. The hill slopes are usually chosen for plantations, the western aspect being considered the best, and the forest cleared off, leaving a thick belt of trees to shelter the plants from the violence of the wind. The laterite forma-

	Rs.	A.	P.
5. Munwatha, 1835–36	7,476	0	0
6. Doormokhy, 1836–37	7,476	0	0
7. Havilumby, 1837–38	6,262	3	5
8. Vilumbee, 1838–39	21,011	9	3
9. Vikary, 1839–40	14,811	13	10
10. Sharvery, 1840–41	21,943	13	4
11. Planah, 1841–42	15,205	5	10
12. Shobbacrootoo, 1842–43	21,720	14	11
13. Shobbacrootoo, 1843–44	19,779	15	8
14. Krodhee, 1844–45	23,256	2	11
15. Viswabasoo, 1845–46	23,006	9	11
16. Parabhava, 1846–47	27,320	1	10
17. Plabungah, 1847–48	30,059	12	2
18. Keelakah, 1848–49	33,349	1	1
19. Sowmeyah, 1849–50	27,509	13	0
20. Sahgarana, 1850–51	32,300	2	11
21. Virodhicrootoo, 1851–52	25,952	15	6
22. Paridhanee, 1852–53	31,327	14	7
23. Pramadeecha, a particularly good year, 1853–54	50,204	10	2
24. Anundah, 1854–55	32,229	15	0
25. Ratchasa, 1855–56	42,711	9	6
26. Nalah, 1856–57	34,065	14	7
27. Pynigulah, 1857–58	43,234	7	5
28. Kalayooety, 1858–59	44,456	14	1

Nuggur Division	Ashtagram Division
Luckmully Talook	Munzerabad Talook
Wustara Talook	Bailoor
Coppa Talook	Maharajdroog
Cickmoogloor	

tion north of the Toonga is not favourable to the cultivation of coffee.

The cultivation is carried on by three classes of persons: the European planter, the Native planter, and the small ryot.

When the European desires land belonging to a ryot, and can agree as to the terms of purchase, both parties present themselves before the District authorities, and on executing the customary documents the purchaser enters into possession. But when the land belongs to Government an application must be made to the local authority, which issues a notification of the circumstance; and in default of any claimant coming forward within a month, puts the applicant in possession, on condition that the ground shall be cleared and planted with a certain number of coffee trees within a given time, on pain of forfeiture, and that the cultivation of any other crop will subject the land to be assessed for rent equal to the neighbouring rates.

These preliminaries arranged, the planter begins his operations by cutting and burning down the forest, and by raising his nursery. When about eighteen months old the seedlings are transplanted into holds about six feet apart, giving from 1,000 to 1,200 per acre. The plantation must be regularly weeded and manured; and in three years under favourable conditions, perhaps a quarter of a crop may be obtained. But two years more are required to bring the trees into full bearing.

The mode observed by the Native planter is a modification of the foregoing, only less careful and less extensive, while that followed by the small ryot is rougher still; and in both these cases the trees are later in coming into bearing by two or three years, and go sooner out.

The elevation proper for coffee is considered to be from 3,000 to 4,500 feet above the level of the sea.

The coffee plantations are so situated that perhaps no two estates, nor any two acres of land, are in all respects alike; and the cost of cultivation, and the quantity of produce, vary accordingly. The cultivators, as might be expected, give different accounts—one experienced planter has said that 200 acres can be brought into full bearing, and provided with sufficient machinery, at an outlay of Rs. 30,000; but to this must be added several incidental expenses, such as buildings, the hire of watchman to guard the crops, and the losses sustained by the desertion of labourers with their advances.

In Coorg the system of managing plantations is not materially different; but the plant is more generally diffused throughout the country, in the ryots' jumma lands, in the back yards of their houses, and scattered over the forests sown by birds. It is only of late years that regular plantations have been formed by Europeans, principally on the rugged uninhabited slopes of the Ghauts facing the west; none of these have yet come into bearing.

There is not much difficulty in procuring labour in Mysore; but in Coorg it is very scarce, and has to be brought from the open country at considerable expense, as the people of the plains have an aversion to resort to that wild and tempestuous climate.

Some doubts having been expressed in the 15th paragraph of Mr. Secretary Edmonstone's letter of the 7th of February 1856, No. 686, whether an excise of 4 annas per maund might not be too light as a permanent tax in the case of old coffee plantations, a few observations are respectfully submitted on that subject.

In the Madras Presidency all land occupied by the coffee planter is assessed at one rupee per acre from the date of his taking possession. This tax was avowedly experimental in the first instance; but it has remained without alteration, and is highly agreeable to the Europeans, who naturally fix their eyes on the advantage in prospect. But it is far from acceptable to the Natives, who do not readily embark in an undertaking which entails a considerable certain outlay for several years, without bringing in any return. The Madras system is likewise far less productive to the revenue than the excise of Mysore and Coorg as shown below; and were it possible to introduce it in these territories it is calculated that it would not realize more than Rs. 8,000 for Mysore, and Rs. 1,000 for Coorg. Taking the produce of an acre at the minimum of lbs. 1,000 or maunds 26, value on the spot Rs. 144; duty at 4 annas per maund, Rs. 9.

But a tax per acre could not be imposed on the coffee lands in Mysore and Coorg, without first measuring them, which would be attended with insurmountable difficulty before they were cleared. Again, if a certain tax per acre were imposed, it would fall most unequally, as some localities, in many respects well adapted for coffee, are so broken up by ravines and watercourses, and so occupied by huge boulders and shelves or rock, that in many an acre little or no space is left for planting.

Moreover a land tax would not touch a twentieth part of the coffee grown in, and exported from, Coorg, without taxing the same land twice over. For in Coorg much coffee is grown on the assessed lands of the people for which they already pay, and both in Coorg and in Mysore much is also grown in the back yards and gardens of the houses; what the European planters grow or ever will grow is as nothing to the quantities produced by the Natives in their holes and corners and out-of-the-way jungles. But in Coorg and Nuggur the cultivation of coffee has received such a stimulus, and is so easy, certain, and profitable, that almost every man, high and low, is trying to cultivate it on his own land; and the excise is the least unpopular mode in which a revenue could be raised from it, as the producer pays only after he has realized, and then in proportion only to his receipts—a system peculiarly congenial to the Native mind.

The excise was first introduced into Coorg in 1857–58, in which

year it realized Rs. 11,583-13-5, and in 1858-59 Rs. 16,715-9-6, while, as before observed, not one of the plantations formed by Europeans has yet come into bearing.

To conclude, the cultivation of coffee in Mysore and Coorg, if permitted to continue on its present footing, cannot fail to prove a source of considerable profit both to the individual engaged in it and to the State, and, undesirable in many respects as seem the life and condition of an European planter, condemned to almost absolute solitude, and unceasing toil and watchfulness, to exposure to all seasons, and frequently to loss of health in situations proverbially hostile to the European constitution, many days' removal from medical aid—notwithstanding these disadvantages and others, such are the attractions that coffee lands are eagerly sought for.

For an Estate of 200 Acres. Estimate of Profits

Coffee—	
Produce of an acre in bearing	1,000 lbs., or, say, 36 maunds
Produce of 200 acres	7,200 maunds
Value at Rs. 4 per maund, the lowest price paid on the spot	Rs. 28,800
Cost of production according to the most expensive or European method	Rs. 7,200
Amount of hálut or excise duty payable on 7,200 maunds	Rs. 1,800
Profit to the planter on 200 acres	Rs. 19,800

REMARKS.—This is the most favourable calculation for the planter, as 36 maunds of 28 lbs. each is considered the minimum produce of an acre; under very favourable circumstances an acre has been known to have produced one ton.

Coffee having been already reported upon, the other three remain to be considered.

Previous to mentioning the changes which it has been found necessary to introduce in the method of leaving this tax on Betel-nut, and the reasons which render it advisable to retain it in its present form, a brief sketch of the system and extent of this lucrative cultivation may not be out of place.

THE ARECA PALM

This Palm requires a low moist soil, somewhat sandy, either under the bund of a tank, or in a position otherwise favourable for irrigation; the gardens being almost invariably more or less thickly interspersed with Cocoanut trees, and while the Areca tree is still young, with Plantains also.

In forming a garden the seed is placed in holes, six or eight feet apart, and when rain falls, watered once in eight or ten days; in addition to which, if the garden is properly cared for, and the young trees thinned when too numerous, this Palm will come into bearing in about eight years, and give a full crop after 12 in the plains, and 15 in the Mulnad.

This slender and elegant Palm runs up to a height of 40 or 50 feet with a stem little more than six inches in diameter, and the plan frequently adopted in closely planted gardens in this country for the collection of the produce is both singular and dangerous. A very light, active boy or man ascends one tree, having collected the produce, swings the tree he is on, until an opportunity offers, when assisted by a hook he springs on to another, collecting in this manner the whole crop from 100 trees without once descending. To lookers-on this is both an anxious and exciting feat not unfrequently attended with accident.

A tree lasts about 50 years, and when in full bearing produces about one pound and a half of nuts. It is found to thrive in all parts of Mysore, but arrives at greater perfection, yields a more abundant crop, and produces the most superior description of nut only in the Western or Mulnad Talooks of the Nuggur Division; these Talooks comprise all the country lying along the inner slopes of the Western Ghauts, and this region is apparently the most favourable to its cultivation, as the nuts from thence realize a higher price, and are far more highly esteemed for their flavour than those produced in any other portion of this or any of the adjoining Provinces.

An acre at a rough calculation is supposed to hold 550 trees, the crop from which may be estimated at about 25 maunds,[1] and according to the part of the country in which it is grown, the value on the spot is at present from Rs. 5½ for the best to Rs. 4½ per maund for the inferior description. In the town of Bangalore its present value is Rs. 8 per maund.

The ground under Areca cultivation is classed as garden land, and pays a land tax averaging from Rs. 1.2.0 to Rs. 3.0.0 per acre according to the quality of the soil; but it should be remembered that it is extremely rare to find a garden composed exclusively of this tree.

Either from the increased demand or from improved facilities for transit, the value of the nut has greatly increased of late years. This increase cannot be put down at less than 50 per cent., the maximum price in 1832 being Rs. 3½ on the spot for the superior description of nut.

Under these circumstances the profits to the cultivator must be very considerable as compared with former years, for the cost of

[1] A maund being 28 lbs.

the production has not increased in the same ratio, being little if at all more than it was 20 or 30 years ago.

The Calculation is that each tree costs Rs. 4 from the time operations are first commenced until the garden returns a full crop, and that the cost subsequently of keeping the garden in order, collecting the produce, etc., may be estimated at about 20 per cent. of the value of the produce.

It is difficult to obtain thoroughly reliable data regarding the profits on Betel-nut, and the proportion which the cost of production bears on the value of the crop; but taking Rs. 100 worth of nut, when sold at any of the great marts, as a basis, it is generally considered that 40 per cent. gives the cost of production, including the Hálut and every possible contingency, that 35 per cent. goes to the cultivator, and the remaining 25 to the merchant.

The Hálut at the time of the assumption of the Province, and for some short period subsequently, was farmed out with the Sáyer, but it was very soon perceived that the development of the important trade in Betel-nut was seriously impeded by this arrangement; for at that time the whole of the Nuggur Division was divided into three great Illakas or Farms with a contractor, and two Sir-Sáyer Amildars to supervise, and as regards Betel-nut the system was most depressing and vexatious. These great contractors,[1] and the principal merchants met annually at a place called Arga, and there fixed, according to quality and locality of production, the price to be given for Betel-nut throughout the Division; and every Ryot in the country was obliged to submit to the arrangements then decided upon, or have the produce of his garden left upon his hands, for at this time the whole system was so complicated, and all the subordinates were so thoroughly and entirely under the control and authority of these confederates, that no man could export for himself; the difficulties he had to contend against being such as are now scarcely credible.

In one part of the country there were 5 Chowkies in 58 miles,[2] and unless the article was the property of a Sir-Sáyer, Amildar, or some privileged individual, the goods were detained an indefinite time, unpacked and examined at each of these Chowkies. Betel-nut from one part of the country paid more at one place and less at another, from another part of the country it could only be exported by a certain road, and the Roosums of religious mendicants and shrines, the petty demands, the perquisites of classes and individuals which had to be met, were so numerous and so loosely defined that the free trader, in the literal acceptation of the term, was an individual quite unknown. All producers almost without exception were obliged to sell to those great monopolists who

[1] The Sir-Sáyer Amils were *de facto* contractors under another name.

[2] And in the Nuggur Division alone there were 60 in 1832.

exported at the minimum rate which they themselves fixed, and who, profiting by their position, their knowledge of the rules in force, and their power to act with impunity at a distance from all control, made immense fortunes, and allowed the Ryot only the smallest possible amount of profit or remuneration.

The advantages of these monopolists did not end here; they had also the privilege of exporting their goods without paying down the Hálut or Government transit dues, which they were permitted to adjust at a subsequent period, to allow, as it were, of their selling the article, and realizing the price previous to being called upon for the full demands of the Sircar. This gave rise to arrears to a most serious extent, as may be understood from the fact that in the Nuggur Division alone the outstanding Sáyer Balances, due almost exclusively under the head of Hálut, exceeded 90,000 Pagodas, or nearly three lacs of Rupees in 1835, shortly after the assumption of the country.

They also possessed another immense advantage over the outside trader—having the monopoly entirely in their hands, they never paid the Ryots in cash. At first sufficient money only was given to enable the cultivator to pay his kist to Government, the rest remaining to be adjusted at a subsequent period, when a portion only was paid in cash, the balance always to a great extent being made good by clothes valued at the maximum price, and brought back by the merchants, or an agent, from the great marts of Bangalore, Wallajabad, etc.

The two Sir-Sáyer Amildars had establishments paid by Government, and were supposed to pay into the Treasury any surplus they might receive, but this was never done. All the Cuttahs on the roads were sub-rented, and every subordinate, high and low, became a great or a petty contractor; one man raised the rate at his Cuttah to try and realize as much as possible during his incumbency, and another reduced the rates, in the hope that merchants would thereby be induced to pass his way. From such an utter absence of system nothing but confusion and entire loss of method could result, and the intricacies and difficulties of transit and export at last became so great that even the ordinary small merchant or trader could no longer contend against the Sir-Sáyer Amildar and the great contractors.

It is only necessary to add that almost every term in the English language that could convey ideas of obstructiveness, or ingenious oppression, were freely used by the officers to whose lot it was in the first instance to write upon the subject of the Hálut, and some sweeping radical changes became not only desirable but necessary.

In 1835 the whole system of renting the Hálut in Nuggur was abolished and subsequently elsewhere in Mysore also. It was at first extremely difficult to form any general plan independent of

the system of renting, and which should at the same time secure the realization of the usual revenue. The complications of the former system had not only confused the accounts but seriously depressed the trade in Betel-nut, and correct information and statements and disinterested opinions were not to be had; the interests of all those who could furnish reliable data were opposed to any modifications or revision of a system on the continued existence of which they relied for their usurious profits.

The effect of the abolition of the renting system, with all its unequal privileges and immunities, and the establishment of a uniform rate alike for all, and which left every one free to do what he wished with his own, showed itself at once in the amazing elasticity of the Revenue under the head of Hálut. In the Nuggur Division alone it rose from Rs. 2,72,000 realized in 1832, under the renting system, to Rs. 3,49,000 in 1842 under the Amany system, though the latter, when renting was discontinued in 1835, was introduced cautiously. The same rates of Hálut on Betel-nut, varying from Rs. 1.2.6 to Annas 8 according to quality, were continued, and became payable in cash to Government, when a permit was at once given, and the transit or export duty having been paid in one Chowkey, the article was henceforward free. These rules alone gave immediate independence to the producer, little risk was incurred, and it was no longer incumbent on the Ryot to give his crop to an all-powerful monopolist on terms over which he had no control.

Under the Government of the Rajah, Roosums or tolls were payable on every road, sometimes to religious mendicants, at other times to private individuals, who were thus remunerated for some service. Nearly every religious establishment throughout the Province had some claim against the merchant under the above head, and were sometimes so tyrannical and exacting as to impede trade seriously, and prove a source of loss and oppression to the merchants who had no counteracting privilege. All these Roosums were summarily abolished in 1841, indemnity of money being given in those few cases where the right to it appeared well founded.

BETEL-NUT

Experience having thus been gained, uniform rates, as given below,[1] were introduced in 1842, and in 1848 all transit duties on Betel-nut and on all other articles paying the Hálut were abolished; and the rates of 1842 were further modified, and the system of levying the tax which still holds good was then introduced.[2] A Talook official, and the Sáyer Monegar, proceed to the Cuttah, and having jointly superintended the weighing of the article, receive

[1] First sort, 1 rupee; second sort, 12 annas; third sort, 9 annas.
[2] First sort, 1 rupee 4 annas; second sort, 12 annas; third sort, 6 annas.

the Government demand, seal the bags, and grant a permit, and unless the seal is found broken the article is free, and the proprietor is at liberty to export by any road or in any manner he pleases.

The plan and rates above given have been found to work well, particularly since the abolition in 1845 of all frontier duties in the adjoining Districts of Her Majesty, which acted with regard to the Canara frontier, where they were for some years most oppressive, as a serious check to the Betal trade of Mysore. More especially as no import duty was levied in Mysore on the nuts brought from the Canara District.

The quantity which paid duty in 1858 was somewhat less than 7½ lacs of maunds, and the Revenue realized was Rs. 4,29,011–2–2, and it may without fear of contradiction be stated that this amount has been realized without being felt in the slightest degree oppressive. The profits on this item of cultivation, as has been previously shown, are considerable; the article is most decidedly a luxury, and therefore a legitimate subject for taxation. If a Ryot is asked the question, he always denies that he pays the Hálut, and asserts that the merchants or the purchaser is the person on whom that falls, and the expenses of production annually incurred, after the first outlay, have been previously shown to be very trifling. Under all these circumstances there seems little objection to the retention of the Betel Hálut, which of itself forms no inconsiderable item in the aggregate Revenue of this State. In conclusion it may be proper to state that all changes and modifications have been made after full consultation with the cultivators and merchants engaged in this trade.

PEPPER

The seed of this plant ripens in the month of April and the proper time for sowing is August—when the seedling attains a few inches it is planted, usually at the foot of the Areca Palm, to which it is tied. The pepper vine grows very slowly, seldom producing berries in less than five years, and requiring several years more to arrive at perfection. In August the young berries first appear in bunches like currants, and in February begin to harden, being gathered as they ripen. Each vine bears from 500 to 700 bunches, which give about 8 or 10 seers when dried, and the belief exists that the abundance of the crop depends upon the heavy and continuous rain of the dark nights of August—rain during the moonlight nights of that month being considered less favourable.

The vine bears for thirty years, but it is necessary to renovate the plant by cutting down the old stem, and training layers every ten years. It destroys young Areca trees, and is therefore generally planted only under old ones. The Southern merchants pay from Rs. 4½ to 5 for the maund of 28 lbs., and the plant is cultivated to

a greater or less extent by nearly all the holders of Areca gardens in the Mulnad Talooks.

CARDAMUMS

In the months of October and November the seed of this plant ripens, and when shown, it is thinly strewed in baskets of earth raised on sticks, and placed in the shade in a running stream. This plan is necessary to save the seed from ants and reptiles, which are all so fond of it that every precaution is necessary to save it from them. In July or August the seedlings are planted under the shade of Cocoanut trees, about six feet apart, and if the soil is loosened, manured and irrigated, the plant in the course of three years rises to the height of about six feet, and in the month of May following, the fibrous shoots from the root blossom. In July the fruit forms, and in October or November is fit to gather. It is rarely allowed to ripen naturally, as snakes would in that case devour it all immediately; even in gathering the fruit extreme caution is necessary, and all kinds of reptiles being found near the plant, it is requisite to be constantly on the watch. In some places the people who gather the seed find it necessary to place a flat stone on their heads, and wear a coarse loose blanket to enable them to pick the fruit without apprehension.

The Cardamum plant is extremely delicate in its form, and requires support; one plant seldom yields more than six ounces of fruit. The value of a maund of Cardamums of 28 lbs. is at the usual market rate about Rs. 40.

Both Pepper and Cardamums were in former years subjected to the same rules as the Betel-nut, and were relieved from the obstructions and complications with which the productions of and the trade in them were surrounded, at the same time and by the same steps as those which it was found necessary to introduce regarding the more important item of Betel.

Cardamums originally paid duty in various forms, the Hálut portion of which varies greatly, in some cases being as high as Rs. 2.13.0; and Pepper paid Hálut rates which under certain circumstances rose to Rs. 1.7.2. In 1842 these rates were cautiously modified, and finally fixed at Rs. 4 the maund on Cardamums, and 8 annas on pepper in 1848, when all transit duties were abolished.

The cultivation of both items is entirely supplemental, and carried on solely by the owners of Areca and Cocoanut gardens, as an additional source of profit; they must, therefore, be considered as products, the liability of which to an excise duty may be unhesitatingly conceded, more especially as they are undoubted articles of luxury and export, the prices of which range high, and the profits on which are large.

The part of the country which produces both in the greatest

abundance is the Nuggur Division, and the aggregate quantity which paid duty last year, together with the amount realized, is given below.[1]

(iii) Excise

(i) *Administration Report, 1860–61.*

Para. 48. Excise:—

"The Abkarry Revenue is steadily increasing. It amounted last year to Rs. 10,91,560–9–8, or more than one and a half lac in excess of the Revenue of the previous year. It has literally increased of itself up to this point, for no undue efforts of any kind have been made by the Government to stimulate an increase under this head. It is given on contract nearly throughout the whole Territory. In former years it was not always easy to find individuals willing to contract, but in this respect a great change has taken place of late years."

(ii) *Mysore Administration Report, 1861–62.*

Para. 75. Excise:—

". . . This (the increase in revenue) arises from the introduction of the Contract System, which does not involve any outlay on the part of Government. Formerly nearly the whole of the Mysore abkarry was managed by the Superintendents of Divisions under the system of Amani, or direct Government supervision. This arrangement involved an outlay of 20 per cent. of the gross collections on account of establishments and working expense, which charges do not of course exist under the contract system."

Para. 80. Opium:—

"The amount of revenue from Opium is very small, the sum realized last year being no more than Rs. 12,479–11–8, which is a slight falling off. Nearly all that is produced in the Province is consumed by the people of the country, but the quantity is estimated to have been no more than 890 maunds."

Para. 83. Forest Conservancy:—

". . . A Separate report will shortly be submitted to Government

[1] *Quantity in Maunds*

Pepper	Rs. 31,845		
Cardamums	2,882		
Hálut			
Pepper	Rs. 15,922	8	0
Cardamums	11,528	0	0
Total	Rs. 27,450	8	0

regarding the forest conservancy of this province, which is not at present on a very satisfactory footing."

Paras. 52–53. Miscellaneous:—

"After the revision of the Customs duties and the Hálut, the Mohaturfa and the Chillur-bob were the only taxes in Mysore (not coming under the head of land) which remained for consideration. The Head Chillur-bob, which consisted of a vast number of petty and most highly objectionable taxes, was swept completely away. The Revenue from some Farms and Licences formerly brought to account under this head, and which it was found advisable to retain, being transferred to a separate heading denominated 'Farms and Licences.' The Chillur-bob in former years consisted of many hundreds of trifling, partial, oppressive, and in some instances, indecent taxes. Year by year some of the most oppressive and offensive were struck out, until somewhat less than one hundred remained; even these included some taxes upon classes of individuals, certain castes in certain Villages, and district local dues which were sometimes so partial that occasionally only one individual in a Village was found to be liable to the cess; indeed so complicated and interwoven was the whole system that sometimes it was scarcely intelligible to, or capable of explanation by, those who were supposed to be thoroughly initiated. These partly Vexatious items were all swept away,[1] causing a nominal loss of Rs. 66,757–8–6 to the Mysore Government, though no actual loss occurred; as by the transfer and revision of the 'Farms and Licences,' and the modifications of the Mohaturfa, with which the Chillur-bob was thoroughly interwoven, an increased amount of Revenue has been obtained by a more comprehensible, equitable and rational mode of taxation.

"The Mohaturfa also formerly consisted of a Vast number of items. The principal were the House, Shop, Loom, Mill, and Plough taxes, and these were taken as the new basis for the revised form of taxation. Separate dues upon vegetable stalls, upon separate fire places and doors, the discrepancies which obliged a man with a retail shop to pay 30 or 40 Rupees annually, whilst his neighbour in the possession of a large store paid only 4 annas, and the system under which Ryots of the same village paid sometimes one and half Rupee, and sometimes half an anna on their Ploughs, was finally and completely abolished; and all Houses, Shops, Looms, and Mills were directed for large and Small Towns, and large and small Villages. The rates ranging from 60 rupees per annum on the largest mercantile store in Bangalore or Mysore, to half a Rupee on a Village Hut or Loom. This has equalized this form of taxation throughout the country, and has rendered it intelligible, and also

[1] In 1854–55.

easy of revision by the European District Officer when on Circuit, in all cases where the action of the Talook authorities may appear to have been either injudicious or oppressive. All cultivating Ryots are exempt from Mohaturfa unless they keep a shop, Loom or Mill besides, but they pay Plough tax which ranges from 6 to 3 annas. At the time that the order for the maintenance of the Plough Tax was given, the people were informed that the sum collected under this head would be considered a Local Fund, and would be devoted to the repairs of the cross-roads throughout the country, and it is therefore as much my wish as my duty to see that it should be so applied hereafter."

APPENDIX D

A NOTE ON THE CURRENCY AND COINAGE IN THE PERIOD

Until 1853, the standard coin was the Kantirayi pagoda, but after that date, the Rupee. The calculation table of the former was as follows:—

16 cash = 1 fanam.
10 fanams = 1 Kantirayi pagoda.

The Bahaduri pagoda and the Madras and Surat rupees also were in circulation at different rates of exchange. One Kantirayi pagoda was equivalent to Rs. 2–14–8, and a Bahaduri pagoda about Rs. 4. But the former was a nominal gold coin, while the latter was in circulation, though in a small quantity.

The Mint, which was in 1834 situated at Bangalore, had been minting only the cash which was a copper coin (in contrast with the fanam, which was both in gold and silver). This too was stopped in 1843 owing to its saturation in the circulation, and not revived later, as the government accounts were from 1854 kept in rupees and, further, as the government began to withdraw all but the rupee currency from circulation.

APPENDIX E

REFERENCES TO THE ANNUAL FINANCIAL STATEMENTS

Year	Cons.	Date of the Cons.	Number of the Cons.
1834–35	*Ind. Pol. Cons.*	July 24, 1837	40
1835–36	*Ind. Pol. Cons.*	July 24, 1837	41
1836–37	*Ind. Pol. Cons.*	November 7, 1838	71
1837–38	*Ind. Pol. Cons.*	April 20, 1840	81
1838–39	*Ind. Pol. Cons.*	July 6, 1840	83
1839–40	*Ind. Pol. Cons.*	April 5, 1841	111
1840–41	*Ind. Pol. Cons.*	January 10, 1842	57
1841–42	*Ind. Pol. Cons.*	March 8, 1843	116
1842–43	*Ind. Pol. and For.*	May 18, 1844	147
1843–44	*Ind. Pol. and For.*	August 22, 1845	131
1844–45	*Ind. Pol. and For.*	April 14, 1848	115
1845–46	*Ind. Pol. and For.*	April 14, 1848	117
1846–47	*Ind. Pol. and For.*	May 6, 1848	141
1847–48	*Ind. Pol. and For.*	June 7, 1850	240
1848–49	*Ind. Pol. and For.*	June 14, 1850	301
1849–50	*Ind. Pol. and For.*	January 9, 1852	16
1850–51	*Ind. Pol. and For.*	December 16, 1853	115
1851–52	*Ind. Pol. and For.*	January 6, 1854	56
1852–53	*Ind. Pol. and For.*	August 4, 1854	55
1853–54	*Ind. Pol. and For.*	June 15, 1855	106
1854–55	*Ind. Pol. and For.*	October 3, 1856	172
1855–56	*Ind. Pol. and For.*	April 24, 1857	49
1856–57	*Ind. Pol. and For.*	September 3, 1858	170
1857–58	*The Administration Report* (the Appendix)		
1858–59	*The Administration Report* (not available in the India Office)		
1859–60	*The Administration Report* (the Appendix)		
1860–61	*The Administration Report* (the Appendix)		

APPENDIX F

SALE OF OFFICES IN THE MAHARAJA'S ADMINISTRATION

"1. Sitharamaiya of Attikoppa requires the office of amil to be conferred on him and that of Sheristadar Deviah in lieu of the present incumbents, agreeing to pay for the same Rs. 1,000. . . . 6. Pootia, the son of ex-sheristadar Venkatanarasiah, offers for the sheristadary of Nijgul to prove corruption against the present amil and sheristadar to the amount of Rs. 2,000. . . . 11. Soobiah, Killedar of Gummanaikanapalya, offers to prove that the Amil has cheated the Kandachar of militia out of Rs. 1,000. . . . 15. Goondappah of Nadoor in the Sira talook offers for the Sheristadary of the place provided an intelligent amil in lieu of the present incumbent is appointed to pay Rs. 3,000. . . . 18. The Potails of Chenroydroog offer to prove corruption in the late administration, provided the present local officers be superseded by the ex-Sheristadar Venkatarow as amil and by his gomasta Ramiah as sheristadar in the amount, and if not proved they offer to pay the sum themselves to Government Rs. 2,000. . . . 19. Venkatanarasiah, brother-in-law of the ex-amil of Toomcoor Devarayadroog, wherein there are at present four sheristadars, offers if three of the sheristadars be removed and he is appointed amil, to pay to Government Rs. 3,000. N.B. In reply to this proposition the present amil writes to the Hoozoor on the 17th January that the proposer Venkataramiah already owes Rs. 90 on account of his peculations and that he dare not show his face. His proposal is merely made on the representation of other people. He is not worthy of consideration."[1] The dewan Venkataramaniah said that this was the method of selecting officials for the management of taluks, and that "when the parties applying are not respectable, it is the practice to put them off from day to day."[2] Briggs commented that the patronage had really belonged to the influential courtiers and that the price of officers ranged from Rs. 10,000 for a faujdari to Rs. 100 for a shekdari.[3]

[1] *Mad. Pol. Cons.*, February 7, 1832, No. 2.
[2] *Idem*, February 28, 1832, No. 6. The Dewan to Briggs.
[3] *Idem*, August 24, 1832, No. 4. Diary for May 14, 1832.

APPENDIX G

CORRUPTION IN THE TALUKS IN THE MAHARAJA'S ADMINISTRATION

1. Charges against Appoo Row, amildar of Hassan.
    (*a*) Intentionally on the 3rd of Vyshack of Vijaya sold the Sirkar share of betelnuts of 13 hoblies for Nandana at a reduced rate and caused thereby a loss to Government of 518¾ maunds and 7⅛ seers of that article.
    (*b*) Sent for the marcal to his own Cutcherry sealed by the late Foujdar Venkatakrishniah and cut off the rim of the same with a view to conceal the above fraudulent reduction in measurement.
    (*c*) At the time when gur belonging to the Sirkar in Chikkakudaloor and Doddakoodaloor for Nandana was weighed intentionally caused to the Sirkar a loss of 107 maunds of the same.
    (*d*) Gave to a dancing girl named Amajee and also to the late Killedar Syed Ally two candies of paddy belonging to the Sirkar, in the Honnavarada hobly and not entered in the accounts.
    (*e*) For some sinister purpose about a month subsequently he destroyed the abstract of the Jamabandi accounts of Nandana of the Kowsika hobly and caused a new one to be written by the Pashcar Vencappah in his own house and sealed and affixed his signature to the same.
    (*f*) In Nandana gave two gardens, late the property of one Puttay Gowda of the Village of Vaganah belonging to the Sirkar to one Shamiyangar not entering the same or the produce thereof in the public accounts.
    (*g*) Wilfully reduced the jamabandi of the Madahully Coppul in the Karavungal hobly for Nandana, thereby causing a loss to the Sirkar of C.P. 3-6-3.
    (*h*) In Nandana concealed the produce of the Harabara crop in the same Coppul and that of Jukkunhully in the same hobly thereby causing a loss of C.P. 9-2-14 to the Sirkar.[1]

2. Charges against Sethu Row, amildar of Periyapatna.
    (*a*) In spite of orders to the contrary, released two prisoners on the security of the shroff and transferred their jewellery to the latter.

[1] *Ind. Pol. Cons.*, May 18, 1835, No. 106, Serial No. 4.

(*b*) Received the following bribes from the prisoners through Venkannachari:—

(i) Rs. 200 through the shroff.
(ii) A double string of pearls with a pendant of rubies and diamonds.
(iii) A velvet umbrella with a silver fringe.

(*c*) Having released the prisoners above mentioned for a loan of Rs. 450 and appointing them Sáyer renters in the Village of Amplapoor and for writing this loan off without repaying it.
(*d*) Received a bribe of C.P. 6 for restoring Santiveree to her husband Marrayee Chetty at Seringapatam.
(*e*) Released a lumbany from custody for a consideration of Rs. 20.[1]

3. Charges against the sheristadars Kasturi Rangiah and Chennappiah.

(*a*) In Nandana, appropriated to their own use in conjunction with the amil and others 39½ maunds and 2 seers, the property of the Government fraudulently deducted from the Jamabandi of the Kittana Keray hoblee for the years Khara and Nandana.
(*b*) In the Vyshack of Nandana appropriated to their own use 5 candies of rice fraudulently deducted from the Jamabandi of the Cusba for Khara.
(*c*) Kasturi Rangiah received five Kolagas of Chinna[2] from the shanbhogue of Attawne hoblee and also nineteen fanams from the Jamabandi.
(*d*) Chennappiah received from the same shanbhogue 4 pagodas, being the price of five candies of grain not entered in the Jamabandi.
(*e*) Appropriated 17½ fanams each being the price of 10 maunds of Sirkar betelnut fraudulently deducted from the Jamabandi of Koodarakeray hoblee for Khara.
(*f*) While Kasturi Rangiah received C.P. 3½ from Krishna Gowda of the same hoblee on account of the sugar canes rent, Chennappiah received Rs. 10 for the same.
(*g*) Kasturi Rangiah appropriated 8 coodoos of Sirkar Oodooloo and Chennappiah took 9 coodoos for himself.
(*h*) Kasturi Rangiah embezzled C.P. 64-3-2½ and Chennappiah embezzled C.P. 52-8-2.[3]

[1] *Ind. Pol. Cons.*, July 20, 1835, No. 38, Serial No. 1.
[2] A Kolaga is equal to five seers. Chinna means horse gram.
[3] *Ind. Pol. Cons.*, May 18, 1835, No. 96, Serial No. 2.

4. Charges against the Shiqdar Seshiah son of an ex-amildar of Gramam.

   (*a*) Appropriated C.P. 12½ being the price of fifteen maunds of Sirkar betelnut.

   (*b*) Appropriated 17½ candies and 1½ coodoo of paddy in conjunction with amildar and others.

   (*c*) Appropriated five candies of Chinna.

   (*d*) Embezzled C.P. 66.[1]

[1] *Ind. Pol. Cons.*, May 18, 1835, No. 96, Serial No. 2.

APPENDIX H

UNPUBLISHED DOCUMENTS, ETC.

Introduction

Cubbon's early career may be briefly told. "Mark Cubbon, the seventh son of the Rev. Thomas Cubbon, vicar-general . . . was born [in 1785] at Maughold vicarage [Isle of Man], his father being then vicar of that parish. He was an active and daring boy, and greatly enjoyed scrambling over the hills and rocks which abounded close to his home. He attended the parochial school, and then went to Rev. Harry Maddrell, in Ramsey, of whom he remarked in after-life: 'I wish he had taken more pains to thrash Latin into me.' In 1801, through the influence of his uncle, Colonel Wilks, he received an Indian Cadet's appointment. He was first appointed to the 2nd Madras battalion, and then, in 1804, to the 2nd battalion of the 5th Native Infantry, in which he served with the force commanded by Colonel Chalmers in Travancore. In 1810 he was appointed to the Commissariat Department. In the following year he received the post of assistant commissary-general, which he declared to be 'a distinction far above my rank or claim on the service,' though at the same time he said he had been unlucky in his regimental promotion. In 1827 he became commissary-general. In 1834 he was appointed sole commissioner of Mysore. . . ." [1]

[1] *Manx Worthies*, by A. W. Moore, 1901, p. 157.

(1)

GINDI,
13th *March*, 1860.

MY DEAR SIR MARK CUBBON,

I should not do justice to my feelings if I remained silent on the occasion of your resignation of the Office of Chief Commissioner of Mysore. It does not belong to me to bear testimony to your long, honourable and highly useful public career—but I may allude with satisfaction to many Friends whom we have had in common—and I dwell with emotion on the warm interest which Lord Macaulay felt in you and the high appreciation he entertained of your character. His intercourse with you, although short, made a great impression upon him, and you were a frequent theme of his conversation.

We have been informed by a Dispatch from the Secretary of State that Mysore is to be retransferred to the superintendence of the Madras Government. It would have been an advantage to me if you could have retained office for a time after the transfer—but as this cannot be, I hope you will give me the full benefit of your counsel and of such suggestions in reference to the future administration of the Province and the comfort of the Raja, as your experience may dictate. My object, of course, will be to respect existing interests and to keep things, as much as possible, in their present course until we perfectly understand the subject, and clearly see our way to any improvement.

But I am wandering from my purpose, which was to congratulate you on terminating such a career with so much honour, and to express my hope that your state of health will long enable you to find that enjoyment in literature for which the habits of your whole life have prepared you. If you come to Madras I shall rely upon having the pleasure of receiving you at Government House. Lady Trevelyan is well aware of her lamented Brother's feeling towards you, and it would give her great satisfaction to be your Hostess. I am in hourly expectation of receiving a telegram announcing her arrival at Aden. Poor Lady, few people have gone through more than she has since the 28th December. I must take this opportunity of thanking you for your recent kind hospitality to my Brother. He expressed himself very gratefully towards you.

Believe me,
Sincerely yours,
TREVELYAN
[*Governor of Madras*].

Lieut.-General Sir Mark Cubbon, K.C.B.

(2)

MADRAS,
21st March, 1861.

MY DEAREST SISTER ELIZABETH,

I am thus far on my way home, and expect to sail on the 28th, but shall be obliged to stop at Malta (so the medical men tell me), and not land in England until the month of May is pretty well advanced. I should like to hear from you at Malta, just to say how poor Maria is, and beg you will keep in mind that if the doctors recommend the change to any particular place, you will be certain to meet me there, be it ever so far on the Continent or elsewhere. I have nothing to care for now but you two; and I pray we may be all spared to give me time to endeavour to make some little atonement for past neglect.

I am leaving India with more numerous and weighty marks of public respect than I can recollect any other official receiving on quitting office. Having little vanity in my composition, I never imagined I possessed the respect of 10 millions of people, or that anything could stir up a Native Community to make such manifestations in favour of a European. The addresses are too bulky to send you, but I enclose an article I have cut out of this day's Madras newspaper.

Now God bless you both. With my affectionate regards to poor Maria.

Believe me,

STATUE IN CUBBON PARK, BANGALORE, OF SIR MARK CUBBON, K.C.B., GOVERNOR OF MYSORE, 1834–1864

(3)

GREYSTONES, CO. WICKLOW,
7th June, 1882.

MY DEAR SIR,

Though I am more of an invalid than usual, I cannot decline to comply with your request to give you some further particulars of Sir Mark Cubbon which may interest you as a relative, but which I did not consider desirable to publish.

A peculiarity in my old Chief which we could never fathom was his absolute silence about his family, and in the days of his youth we had several Manx men in the Mysore Commission who spoke with admiration of the venerable old clergyman, his father, of whom his illustrious son might be proud, but he never spoke even to them of Manx matters.

Another peculiarity was his positive dislike of popularity and dread of the improvements in the territory being publickly known, He forbade us writing to the Press by a *demi*-official order. He was ambitious, however, of the officials of the Governor-General, and met with treatment at the very end of his career which was a striking comment on the vanity of all earthly honours.

Such was the confidence reposed in him that no Governor or Chief Commissioner had such unfettered honour committed to them, but at the very last his view (no doubt the correct one) of the treaty with Mysore in 1800 clashed with that of Lord Canning, and the result was that a man honoured by successive Governor-Generals for twenty-seven years was permitted to leave India without even an *ordinary* complimentary mention in the *Gazette*. The only collision I ever had with Sir Mark was the following. The Natives of Madras sent home a monster petition against missionaries (got up by three infidel Englishmen) which frightened the Court of Directors, who sent out a dispatch directing the Governor-General and Governors to prohibit the servants of Government from taking any part in missionary work, or subscribing to Missionary societies. The Governor-General and Governors put the orders in their pidgeon holes as trash; but Sir Mark, who had himself employed missionaries to superintend the Government schools, issued under some inexplicable influence copy of the dispatches to the several Commissioners with stringent orders from himself to carry it out; determined that I would disobey and yet not officially say so in writing, I at once started for Bangalore and told him he dared not enforce such a rule, depriving Englishmen of their legitimate liberty. My old Chief was rejoiced at the course I adopted, and he regretted the orders sent out. His utter indifference to money was another feature of his character. He left his Uncle's legacy untouched, but spent all his large salary, £6,000 per annum. On losing £5,000 by the dishonourable conduct of his secretary, in whom he had placed implicit confidence, he said to me,

"Do not mention this, my only care is that the transaction is not made public."

One singular idea of his with which few agreed was that of the publication of roguery by Europeans. It was so injurious amongst the natives that he would not bring anyone forward, but by private means get rid of the bad character. This mode of dealing with clever rogues sometimes caused him much annoyance and vexation. One other feature of his character I will mention. That was his wonderful patience under suffering. For many years he suffered terribly from gout, and by his patient unmurmuring submission was, as I often thought, an example to religious men. He had a wonderful admiration of the Bible as part of his inspired character.

Believe me,

Yours very sincerely,

R. S. Dobbs.

P.S.—It seems to me that you may not know much of Sir Mark's early life in India—he became distinguished very soon, and was appointed to the Commissariat Department. He was a great reader, but not a laborious man of business, while his great friend and head of the Department did most of the drudgery Cubbon wrote those reports and dispatches which brought the Madras Commissariat and General Morrison to notice. Cubbon had an extraordinary delight in ascending hills. When in camp the bugle sounded at half-past two. We all walked for an hour or so, mounted our horses and reached the next ground at daybreak, when our Chief accompanied by active men like myself ascended some neighbouring hill and returned to our tents for breakfast. He was fond of giving presents of horses to his lady friends. When my eldest daughter was about to be married he did not consider any animal in his well-filled stables suitable, and purchased a handsome expensive arab, which turned out to the bride's satisfaction. He was the very soul of chivalry. He actually turned out of his own bedroom into his dressing-room for my daughter's accommodation when she was only a girl of seventeen, and to the last, when seventy-five years of age, he would never sit in the back seat of his carriage when any lady, even young girls, were driving with him.

Rev. S. N. Harrison.

(4)

Inauguration of the Cubbon Memorial in India

(From the *Bangalore Herald* of March 21st)

As our worthy friend the oldest inhabitant says, there is no doubt whatever that the ceremonial of last Friday afternoon is a thing to be remembered in the annals of Bangalore, and we therefore feel bound for the benefit of coming generations of Mysoreans to chronicle the doings of that memorable day. For days and weeks previous to the event it was the great theme of discussion. It was not, however, until the inauguration day itself arrived that any idea could be formed, from the thousands who assembled on the ground, of the general interest felt in the approaching ceremony. Of course all the beauty and fashion of Bangalore were present; but even massing the whole Christian community in one, they were but as a drop in the bucket compared to the natives. Precisely at the appointed time —half-past five—Mr. Bowring, General Haines, and Mr. Saunders, with their respective suites, stepped on the daïs fronting the statue, and the latter gentleman addressed Mr. Bowring in the following words: Sir, as President of the Cubbon Memorial Fund, it is my pleasing duty in behalf of His Highness the Maharajah of Mysore and of the other subscribers, European and native, to the fund to request that you will gratify us on the present occasion by performing the ceremony of inaugurating the statue of your distinguished predecessor in office, the late Lieut.-General Sir Mark Cubbon, K.C.B., who for more than twenty-seven years administered with marked ability and success the affairs of this important and flourishing province, which owes so much to his fostering care and to the beneficence and strict uprightness of his rule. As soon as it became known in the early part of 1861 that the late Commissioner had tendered to the Supreme Government his resignation of the important post he held, and was about to quit the scene of his past labours, in order to seek his retirement in his native land (which, however, he was never permitted to reach alive) that rest and relaxation which he had so well earned, a very general desire was on all sides expressed that by means of a public subscription steps should be taken to commemorate, in a suiting and befitting manner, the distinguished services which he had rendered to the State and to the people of this territory, as well as to evince the very high estimation in which, not only his public conduct as an upright and enlightened statesman, but his inherent private worth, his open-handed liberality, and the many other noble qualities which adorned his private character were held by all classes. Subscriptions of a very liberal character poured in from all quarters, and these were supplemented by the truly munificent and princely donation of ten thousand rupees from His Highness the Maharajah of Mysore, who was anxious to testify

thereby his grateful recognition of the services which Sir Mark Cubbon had rendered to himself and to his country, as well as the personal regard he entertained for his friend, whose loss he was called upon, in common with many others, so soon to deplore. At a public meeting of subscribers to the Cubbon Memorial Fund which was held at Bangalore on Saturday, the 16th of August, 1862, after some discussion had taken place in regard to several alternative projects which had been brought forward by individual subscribers, having for their object the commemoration of the late Commissioner's services, in a more or less suitable manner, the following resolution was passed unanimously and by acclamation, viz.: "That this meeting, in recognition of the noble character, the eminent abilities, and great public services of the late Sir Mark Cubbon, K.C.B., Commissioner of Mysore, is desirous of perpetuating his memory in the most lasting manner, and therefore resolves that a statue, by one of the first sculptors of the age, be erected in Bangalore, in front of the new offices of the Government, from the funds placed at the disposal of the joint Committee of the memorial." In pursuance of the above resolution, the Committee, through their late able and public spirited honorary secretary, Major C. P. Taylor, placed themselves in communication with several of the most eminent sculptors of the day, and at length finally commissioned Sigr. Marochetti to execute the equestrian statue of the late Commissioner which now stands before you, Sir, and which the committee trust will, when unveiled to public view, be found a work of art worthy of universal admiration, calculated to sustain, if not to increase, the deservedly high reputation of the gifted artist who designed and executed it, and to add very materially to the adornment of our much favoured and very popular station; while it will, it is hoped, recall to the recollection of those who had the privilege of knowing him, and will perpetuate and hand down to future generations, as it were, the form and features of the deceased statesman in whose honour it has been erected. In deference to the expressed wishes of the sculptor, who requested that the statue might be placed looking west, in order that the light of the setting sun might fall upon it and show it to the best advantage, it has been found advisable to relinquish the site which had been originally selected for the statue, and, with the permission and concurrence of the general commanding the division, to erect it upon the very conspicuous and favourable site which it now occupies. The statue, which was cast in the sculptor's studio during the summer of 1864, was shipped from England in October of the same year, but owing to stress of weather in the Bay of Biscay, and other mishaps, the vessel in which it was freighted was obliged to run into a Spanish port for repairs, and it was not until after the expiration of more than a year from the date of shipment that the statue reached the Madras Roads and was safely landed. The Committee of the Cubbon Memorial Fund, after providing for all

t.. expenses incidental to the erection of the present statue, will ' ' a considerable surplus remaining in their hands, which it will their duty, in furtherance of the object for which the funds were subscribed, and with the consent of the subscribers at large, to lay it to the best advantage in the construction of some work of public utility or ornament in this Station, as a memorial which shall still either serve to commemorate the eminent services of the late Commissioner, and to perpetuate his good name and fame. The present being the fifth anniversary of the day on which Sir Mark Cubbon took his departure from Bangalore, and a final leave of the province he had so long and faithfully administered, it has been deemed by the Committee a most fitting occasion on which the ceremony of unveiling the statue to the public view should be performed by you, Sir, his able successor, and I have therefore now the pleasure of requesting you, in compliance with their wishes, to proceed to perform the ceremony of inauguration, to witness and do honour to which a large concourse of all creeds and classes of the people, together with the troops of the cantonment, the civil and military officials of Government, the principal members of the mercantile community, and the élite and beauty of the station are now assembled.

To the above address Mr. Bowring then replied as follows:—'The erection of a statue to an Indian administrator is an event of such rare and unusual occurrence as to warrant our marking it with a white stone; but in the instance of the noble old man whose memory we are now solemnizing there is a peculiar significance. The long and distinguished services of the late Sir Mark Cubbon commenced in the first year of the century, and one's interest is therefore carried back insensibly to those memorable days when the masterly policy of Lord Wellesley first planted the supremacy of the British power in Southern India on a firm basis. It was in Mysore that the great Duke of Wellington first made his name famous. It was from Mysore that he went out in pursuit of the rebel Doondia Waug, and from here also that he proceeded to Central India to overthrow the power of the Mahrattas at the battle of Assaye. In Mysore, too, Sir Thomas Munro and Sir John Malcolm, names which will ever live in Indian history, commenced their careers, which afterwards became so glorious. Sir Mark Cubbon was familiar with many of the actors and leaders in the events of those days, and no doubt imbibed many of the principles of the distinguished men I have mentioned, and followed the example which they set him. When still a young man he was stationed with his regiment at Nugur, in the old province of Bednore; he was afterwards for some years superintendent of police in this station of Bangalore; and, subsequently, while in the Commissariat Department of which he became the head, he had the opportunities of acquiring an intimate knowledge of the resources of the country and the requirements of the people. When Colonel Morrison